

Committee Room,  
Austin, Texas, March 11, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 173, "An Act to amend Chapter 175 of the General Laws of Texas, passed by the Thirtieth Legislature, prescribing compensation of district attorneys, amending said law so that Article 1081a of the Code of Criminal Procedure shall hereafter read as follows:"

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1081a, Chapter 175 of the Code of Criminal Procedure as amended by the Thirtieth Legislature be amended so that it shall hereafter read as follows:

Article 1081a. From and after the passage of this act, in addition to the five hundred (\$500) dollars now allowed them by law, district attorneys in all judicial districts in this State, composed of two counties or more, shall receive from the State as compensation for their services the sum of fifteen (\$15) dollars for each day they attend the session of the district court in their respective districts in the necessary discharge of their official duty, and fifteen (\$15) dollars per day for each day they represent the State at examining trials, inquest proceedings and habeas corpus proceedings in vacation. Said fifteen (\$15) dollars per day to be paid to the district attorneys upon the sworn account of the district attorney, approved by the district judge, who shall certify that the attendance of said district attorney for the number of days mentioned in his account was necessary, after which said account shall be recorded in the minutes of the district court; provided, that the maximum number of days for such attendance and service for which the said compensation is allowed shall not exceed one hundred and thirty-three days in any one year; and provided further, that all fees in misdemeanor cases, and commissions and fees heretofore allowed district attorneys under the provisions of Article 1981 of the Code of Criminal Procedure and in Chapter 5 of the General Laws passed at the Special Session of the Twenty-fifth Legislature in districts composed of two or more counties, shall when collected, be paid to the clerk of the district court, who shall pay over the same to the State Treasurer.

Provided the provisions of this bill shall not apply to district attorneys whose last preceding annual report of himself or his predecessor shows that he or his predecessor making such report received in fees under the criminal laws over \$2495.

Sec. 2. The fact that there is no adequate law of this State regulating the compensation of district attorneys, creates an emergency and imperative public necessity that this act be passed under a suspension of the constitutional rule requiring bills to be read on three several days, and the rule is therefore suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

And find it correctly enrolled, and have this day, at 12 o'clock noon, presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

#### PETITIONS AND MEMORIALS.

By Lieutenant Governor Davidson:

Galveston, Texas, March 10, 1909.

The Presidents of the Senate and House of Representatives, Austin, Texas.

Gentlemen: In behalf of many Italian residents of this city, signers of petition asking that the districting ordinance be subject to a vote of the people, we protest against abuse heaped upon our citizens by certain members of the House, and declare that same was unnecessary and uncalled for as well as unmerited.

S. John Hagemann, August Wisrodt, David Fahey, M. W. Shaw, E. M. Flake.  
(Can furnish many thousands more.)

By Lieutenant Governor Davidson:

Beaumont, Texas, March 6, 1909.

To the Senate and House of Representatives, Austin, Texas.

We congratulate you on the passage of the Robertson anti-race horse bill.

Numerously signed.

#### FORTY-FIFTH DAY.

Senate Chamber,  
Austin, Texas,

Friday, March 12, 1909.

Senate met pursuant to adjournment, Lieutenant Governor A. B. Davidson presiding.

Roll call, no quorum present, the following Senators answering to their names:

Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Kellie.	Thomas.
Masterson.	Willacy.
Murray.	

Absent.

Adams.	Senter.
Harper.	Terrell of McLennan.
Hudspeth.	Veale.
Hume.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Real.	

Absent—Excused.

Greer.

There being no quorum present, Senator Alexander moved a call of the Senate for the purpose of securing and maintaining a quorum. The call was seconded.

The roll was then called, the following Senators answering to their names:

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Hayter.	Stokes.
Holsey.	Sturgeon.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	Thomas.
Murray.	Willacy.

Absent.

Brachfield.	Senter.
Harper.	Veale.
Hudspeth.	Ward.
Hume.	Watson.
Meachum.	Weinert.

Absent—Excused.

Greer.

The Sergeant-at-Arms was instructed to bring in the absentees.

Pending a short delay, Senators Brachfield, Harper, Weinert, Hudspeth, Meachum and Ward were announced present, which completed a quorum, and the Senate proceeded with business.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Cofer, the same was dispensed with.

The regular order was called, and there being no business, the morning call was declared concluded.

## STATEMENT BY THE CHAIR.

The Chair had the following read to the Senate and asked that the roll be called on same:

Was there a public announcement made by the Chair that during the discussion of the submission issue, at the beginning of this session, that there would not be a rigid enforcement of the rules excluding visitors from the floor of the Senate, unless some Senator objected and the Senate so desired, and did this Senate agree to same? Those of you who say the public statement was made by the Chair, and that the Senate agreed to same, let it be known by answering "aye," and those who say that it was not, by answering "no."

Pending discussion, the Senate was at ease for five minutes, on motion of Senator Murray.

The Senate was called to order by Lieutenant Governor Davidson.

The following statement was presented to take the place of the above statement:

Was there a public announcement made by the Chair that during the discussion of the submission issue (on about the third day of the session) that the Chair had been requested by some Senator or Senators not to enforce the rules during the discussion of this question—not to rigidly enforce the rules excluding visitors from the floor of the Senate—and that unless some Senator objected, the Chair would not compel a rigid enforcement of that rule; that during the discussion of the question of the submission issue, no Senator at any time ever requested the enforcement of the rule.

If the above statement is correct, as the roll is called each Senator will answer "aye," and those who say it is incorrect will answer "no."

The roll was called on the above, the vote being as follows:

Yeas—28.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

Nays—1.  
 Thomas.  
 Absent.  
 Veale.  
 Absent—Excused.  
 Greer.

#### REASONS FOR VOTING.

In voting "yea," I desire to convey my understanding and recollection of the amendment to be:

During the discussion of the submission question, the Chair (the Lieutenant Governor) stated that there would not be a rigid enforcement of the rule preventing visitors on the floor of the Senate during said discussion, unless the Senate insisted on the enforcement of the rule.

There was no objection by any Senator, and it seemed to be the general concurrence of all present that during this submission discussion the rule should be relaxed.

I so understood the rule to be relaxed by common consent, and during my argument I acted on this understanding and invited some friends to be present on the floor of the Senate.

#### COFER.

The Chair had the following read to the Senate:

Does any Senator know of graft, rottenness or corruption occurring among the Senators, officers or employees at this session? Those who do, answer "aye," and those who do not, answer "no."

The roll was called on the above, the vote being as follows:

Yeas—1.	
Thomas.	
Nays—28.	
Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Absent.	
Veale.	
Absent—Excused.	
Greer.	

The Chair laid the following before the Senate:

Have the Rules of the Senate excluding visitors from the floor of the Senate while in session been enforced by the Chair, except during the discussion of the submission issue or not? Those of you who say they have not been well enforced say "no," and those who say they have been well enforced say "aye."

The roll was called on the above, the vote being as follows:

#### Yeas—28.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

#### Nays—1.

Thomas.  
 Absent.  
 Veale.  
 Absent—Excused.  
 Greer.

#### RULE SUSPENDED.

The Chair here announced that the rule providing for no legislation, except certain things for the last twenty-four hours of the session would be suspended, he, Lieutenant Governor Davidson, holding that the said rule was in conflict with the Constitution.

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
 Austin, Texas, March 12, 1909.  
 Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 198, A bill to be entitled "An Act to authorize the Wichita Falls Railway to own and operate as its own the Wichita Falls & Northwestern Railway Company and the Wichita Falls & Southern Railway Company."

Senate bill No. 314, amendment to Texarkana city charter.

Senate bill No. 196, A bill to be entitled "An Act creating the independent school district in the county of Gonzales, State of Texas, to be known as the Nixon Independent School District, and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purpose only."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 4.

Senator Hudspeth called up House bill No. 4, there being no objection.

The Chair laid before the Senate, on second reading,

House bill No. 4, A bill to be entitled "An Act to amend an act to amend Article 3142, and to repeal Articles 3143 and 3144 of Chapter 1, Title 62 of the Revised Statutes of 1895, relating to exemption from jury service, exempting all officers of fire companies or fire departments and their employes in any village, town or city."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to a third reading, but that vote was reconsidered on motion of Senator Hudspeth.

Senator Hudspeth offered the following amendment, which was read, and adopted:

"Sec. 3. Whereas, that because volunteer firemen are not exempt at present and, therefore, the courts are put at a great disadvantage, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended," and to amend caption to conform thereto.

Bill read second time, and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Adams.	Hudspeth.
Alexander.	Hume.
Brachfield.	Kellie.
Bryan.	Masterson.
Cofer.	Mayfield.
Harper.	Meachum.

Murray.

Paulus.

Peeler.

Perkins.

Real.

Terrell of Bowie.

Terrell of McLennan.

Ward.

Watson.

Weinert.

Willacy.

Absent.

Hayter.

Holsey.

Senter.

Stokes.

Sturgeon.

Thomas.

Veale.

Absent—Excused.

Greer.

The bill was read third time, and passed.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SECOND HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House requests the Senate to return Senate bill No. 301 for correction.

Also adopted the Free Conference Committee report on House Joint Resolution No. 7 by the following vote: Yeas, 99; nays, 3.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### SIMPLE RESOLUTION.

By Senator Ward:

Resolved, That the Senate recall from the Enrolling Clerk Senate bill No. 301. The resolution was read and adopted.

By Senator Ward:

I move that the Senate grant the request of the House the return of Senate bill No. 301 for correction.

The resolution was read, and adopted. (Senator Alexander in the chair.)

#### HOUSE BILL NO. 586.

Senator Perkins called up House bill No. 586, there being no objection.

The Chair laid before the Senate, on second reading,

House bill No. 586, A bill to be entitled "An Act to amend Chapter 158 of an act

of the Thirtieth Legislature, said act being entitled 'An Act to amend Article 651, Chapter 3, Title 21 of the Revised Statutes of the State of Texas, and declaring an emergency'; defining the powers of private corporations and amending said act so that said corporations may have as many as twenty-one directors, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Perkins, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Terrell of Bowie.
Harper.	Terrell of McLennan.
Hudspeth.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Absent.

Hayter.	Stokes.
Holsey.	Sturgeon.
Hume.	Thomas.
Murray.	Veale.
Senter.	

Absent—Excused

Greer.

The bill was read third time, and passed by the following vote:

Yeas—22.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Harper.	Real.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

Absent.

Bryan.	Stokes.
Hayter.	Sturgeon.
Holsey.	Thomas.
Senter.	Veale.

Absent—Excused.

Greer.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

### THIRD HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 318, A bill to be entitled "An Act to grant a charter to the city of Corpus Christi, in Nueces county, Texas, validating the acts of the said city as it heretofore existed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 317, A bill to be entitled "An Act to amend Chapter 79 of the General Laws of the State of Texas passed by the Twenty-seventh Legislature, creating a more efficient road system for Brown county, Texas," etc.

Senate bill No. 320, A bill to be entitled "An Act creating an independent school district to be known as Corpus Christi Independent School District, including within its limits the municipal corporation of the city of Corpus Christi, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authority of said board, and declaring an emergency."

Senate bill No. 201, A bill to be entitled "An Act to amend Articles 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952 and 2955 of Title 54 of the Revised Statutes of the State of Texas, 1895, relating to the house of correction and reformatory; providing for a change of its name; providing for its control, management, support, maintenance and regulation; providing who shall be or become inmates, paroled or released; providing that juveniles convicted in juvenile courts be sent there; providing means of entrance for

all incorrigible boys; repealing all laws in conflict herewith, and declaring an emergency," with amendments.

Senate bill No. 202, A bill to be entitled "An Act to amend Section 9 of Chapter 65 of the General Laws of the Thirtieth Legislature, entitled 'An Act to define "delinquent child" and to regulate the treatment and control of same'; providing for commitment of delinquent juveniles to the State Institute for the Training of Juveniles; providing procedure, repealing all laws in conflict herewith, and declaring an emergency," with amendments.

Senate bill No. 137, A bill to be entitled "An Act to amend Title 12, Chapter 2, Revised Civil Statutes of the State of Texas, by adding to Article 278 Article 278a, prescribing mode of appointing assistant district attorneys in districts of 60,000 population and over, where there is no criminal district court established, and qualification therefor, and duties thereof, and affixing salary, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 217.

Senator Harper called up House bill No. 217, there being no objection.

The Chair laid before the Senate, on second reading,

House bill No. 217, A bill to be entitled "An Act to carry into effect the amendment to the Constitution of the State of Texas, providing that aid may be granted to disabled and dependent Confederate soldiers, sailors and their widows, under certain conditions, and to make an appropriation therefor, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Adams.	Kellie.
Alexander.	Masterson.
Brachfield.	Mayfield.
Bryan.	Meachum.
Cofer.	Murray.
Harper.	Paulus.
Hudspeth.	Peeler.
Hume.	Perkins.

Real.	Ward.
Senter.	Watson.
Terrell of Bowie.	Weinert.
Terrell of McLennan.	Willacy.

Absent.

Hayter.	Sturgeon.
Holsey.	Thomas.
Stokes.	Veale.

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hudspeth.	Terrell of Bowie.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Absent.

Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Stokes.	Veale.
Sturgeon.	

Absent—Excused.

Greer.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 137—HOUSE AMENDMENTS CONCURRED IN.

Senator Real called up

Senate bill No. 137, A bill to be entitled "An Act to amend Title 12, Chapter 2, Revised Civil Statutes of the State of Texas, by adding to Article 278, Article 278a, prescribing mode of appointing assistant district attorneys in districts of 60,000 population and over, where there is no criminal district court established, and qualification therefor, and duties thereof, and affixing salary, and declaring an emergency,"

And moved to concur in the following House amendments:

(1)

Amend Senate bill No. 137 by striking out Section 1 thereof, and inserting in lieu thereof the following:

"That Title 12, Chapter 2, Article 278, of the Revised Civil Statutes of the State of Texas be and the same is hereby amended by adding thereto Article 278a, which shall read as follows:

"Article 278a. From and after the passage of this act, the Governor of the State of Texas shall appoint one assistant district attorney in districts in which there is situated a city of 50,000 population or over, according to the United States census of 1900, and in which there is no criminal district court established by law; provided the district attorney or district judge in said district shall furnish data to the Governor that he is in need of an assistant, and that the district attorney is himself unable to attend to all of the duties required of him by law, and that it is necessary to the best interest of the State that an assistant district attorney be appointed. Every person so appointed shall be a qualified resident attorney of the district in which said appointment is made, shall give bond and take the oath of office required of district attorneys by this State, and shall have the power and authority to perform all the acts and duties of district attorneys under the law of this State, and said appointment shall be for such time as the Governor shall deem best in the enforcement of the law, not to be less than one month."

(2)

Amend Senate bill No. 137 by striking out all preceding the enacting clause and inserting in lieu thereof the following:

A bill to be entitled "An Act to amend Title 12, Chapter 2, of the Revised Civil Statutes of the State of Texas, by adding to Article 278a, prescribing the mode of appointment of assistant district attorneys in districts containing a city of 50,000 population or more, according to the United States census of 1900, and in which there is established no criminal district court; prescribing qualification of such an assistant district attorney, defining his duties, and providing a method for his removal from office, fixing his salary, and declaring an emergency."

The motion to concur prevailed by the following vote:

Yeas—24.

Adams.  
Alexander.  
Brachfield.

Cofer.  
Harper.  
Hudspeth.

Hume.  
Kellie.  
Masterson.  
Mayfield.  
Meachum.  
Murray.  
Paulus.  
Peeler.  
Perkins.

Real.  
Senter.  
Stokes.  
Terrell of Bowie.  
Terrell of McLennan.  
Ward.  
Watson.  
Weinert.  
Willacy.

Absent.

Bryan.  
Hayter.  
Holsey.

Sturgeon.  
Thomas.  
Veale.

Absent—Excused.

Greer.

Senator Real moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

#### FOURTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 203, A bill to be entitled "An Act to amend Articles 1145 and 1146 of Title 17 of the Code of Criminal Procedure of the State of Texas as adopted in the Revised Statutes of 1895, relating to the house of correction and reformatory; providing that in certain cases persons under sixteen years of age convicted of a felony shall be confined in the State Institute for the Training of Juveniles; providing that this amendment shall not affect, modify or vitiate any judgment heretofore rendered, confining any person to the house of correction or reformatory; repealing all laws in conflict herewith, and declaring an emergency."

Senate bill No. 154, A bill to be entitled "An Act to amend Article 642 of the Revised Civil Statutes of Texas, as amended by Chapter 130, Acts of the Twenty-fifth Legislature, Chapter 43, Acts of the Twenty-sixth Legislature, Chapter 43 of the Twenty-seventh Legislature, and Chapter 129 of the Twenty-eighth Legislature, by amending Subdivision 61 thereof, and authorizing the formation of corporations for the construction and operation of interurban

electric, gas or gasoline, denatured alcoholic or naphtha motor railways, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

# SENATE BILL NO. 201—HOUSE AMENDMENTS CONCURRED IN.

Senator Cofer called up

Senate bill No. 201, A bill to be entitled "An Act to amend Articles 2941, 2942, 2943, 2944, 2945, 2946, 2947, 2948, 2949, 2950, 2951, 2952 and 2955 of Title 54 of the Revised Statutes of the State of Texas, 1895, relating to the house of correction and reformatory; providing for a change of its name; providing for its control, management, support, maintenance and regulation; providing who shall be or become inmates, paroled or released; providing that juveniles convicted in juvenile courts be sent there; providing means of entrance for all incorrigible boys; repealing all laws in conflict herewith, and declaring an emergency,"

And moved that the Senate concur in the following House amendments:

Amend Senate bill No. 201 by striking out of line 13, page 5, the words "it shall be the," and by striking out all of lines 14, 15, 16, 17, 18, 19, 20, 21 and 22 of page 5.

The motion to concur prevailed by the following vote:

Yeas—23.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hume.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Bryan.	Sturgeon.
Hayter.	Thomas.
Holsey.	Veale.
Hudspeth.	

Absent—Excused.

Greer.

Senator Cofer moved to reconsider the vote by which the amendments were con-

curred in, and lay that motion on the table.

The motion to table prevailed.

# SENATE BILL NO. 202—HOUSE AMENDMENTS CONCURRED IN.

Senator Cofer called up

Senate bill No. 202, A bill to be entitled "An Act to amend Section 9 of Chapter 65 of the General Laws of the Thirtieth Legislature, entitled 'An Act to define "delinquent child" and to regulate the treatment and control of same'; providing for commitment of delinquent juveniles to the State Institute for the Training of Juveniles; providing procedure, repealing all laws in conflict herewith, and declaring an emergency,"

And moved that the Senate concur in the following House amendments:

Amend Senate bill No. 202 by striking out of the caption on page 1 of the bill, line 11, after the words "providing procedure," the word "repealing," and striking out of line 12 the words "all laws in conflict herewith"; by striking out of line 9, page 2 of the engrossed bill, after the words "shall be convicted," the words "of a misdemeanor"; by adding after the words "good behavior," in line 29, page 2, the words "provided in this act"; by inserting after the words "guilty of the charge," in lines 29 and 30, page 3 of the engrossed bill, the following words: "Set forth in the indictment, said defendant shall be deemed guilty of being a delinquent child," and by striking out of engrossed bill all of the words on lines 27 and 28, page 4, as follows: "All laws and parts of laws in conflict herewith are hereby repealed."

The motion to concur prevailed by the following vote:

Yeas—23.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hume.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Bryan.	Holsey.
Hayter.	Hudspeth.



Sturgeon.  
Thomas.

Veale.

Absent—Excused.

Greer.

Senator Cofer moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 595.

Senator Weinert called up House bill No. 595, there being no objection.

The Chair laid before the Senate, on second reading,

House bill No. 595, A bill to be entitled "An Act to permit all villages, towns and cities having a population of not less than 10,000 inhabitants, whether incorporated or unincorporated, to adopt the commission form of government, consisting of three commissioners, one of whom shall be the mayor, to be elected at large from said village, town or city; to fix duties and powers of same, terms of office and compensation, and creating an emergency."

The committee report, which provided that the report be not printed, was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended, and the bill was put on its third reading and final passage by the following vote:

Yeas—22.

Adams.  
Alexander.  
Brachfield.  
Cofer.  
Harper.  
Hume.  
Kellie.  
Masterson.  
Mayfield.  
Meachum.  
Murray.

Paulus.  
Peeler.  
Real.  
Senter.  
Stokes.  
Terrell of Bowie.  
Terrell of McLennan.  
Ward.  
Watson.  
Weinert.  
Willacy.

Absent.

Bryan.  
Hayter.  
Holsey.  
Hudspeth.

Perkins.  
Sturgeon.  
Thomas.  
Veale.

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—23.

Adams.  
Alexander.  
Brachfield.  
Harper.  
Hudspeth.  
Hume.  
Kellie.  
Masterson.  
Mayfield.  
Meachum.  
Murray.  
Paulus.

Peeler.  
Perkins.  
Real.  
Senter.  
Stokes.  
Terrell of Bowie.  
Terrell of McLennan.  
Ward.  
Watson.  
Weinert.  
Willacy.

Absent.

Bryan.  
Cofer.  
Hayter.  
Holsey.

Sturgeon.  
Thomas.  
Veale.

Absent—Excused.

Greer.

Senator Weinert moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 610.

Senator Meachum called up House bill No. 610, there being no objection.

The Chair laid before the Senate, on second reading,

House bill No. 610, A bill to be entitled "An Act to amend Section 1 of an act entitled 'An Act to protect game and fish in the county of Montgomery, in the State of Texas, to prescribe penalties for violation of said act and declare an emergency,' approved April 5, 1907, and to declare an emergency.'"

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—24.

Alexander.  
Brachfield.  
Cofer.  
Harper.  
Hayter.  
Holsey.  
Hudspeth.  
Hume.  
Kellie.  
Masterson.

Mayfield.  
Meachum.  
Murray.  
Paulus.  
Peeler.  
Perkins.  
Real.  
Stokes.  
Sturgeon.  
Terrell of Bowie.

Terrell of McLennan. Watson.  
Ward. Willacy.

Absent.

Adams. Thomas.  
Bryan. Veale.  
Senter. Weinert.

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—27.

Adams.	Paulus.
Alexander.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

Absent.

Brachfield. Veale.  
Thomas.

Absent—Excused.

Greer.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### FIFTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 111, A bill to be entitled "An Act to define and regulate the practice of professional nursing; to create a Board of Nurse Examiners for the examination and licensing of nurses, and to prescribe their qualifications; to provide for their proper registration and for the revocation of certificates and to fix suitable penalties for the violation of this act, and declaring an emergency," with amendments.

Also concurs in Senate amendments

to House bill No. 89, by the following vote: Yeas, 118; nays, 0.

Also concurs in Senate amendments to House bills Nos. 1, 182 and 466.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 229.

Senator Watson called up House bill No. 229, there being no objection.

The Chair laid before the Senate, on third reading,

House bill No. 229, A bill to be entitled "An Act to levy a tax of five hundred dollars (\$500) upon the occupation of selling cannon crackers or torpedoes, and permitting counties, cities and towns to levy an additional tax of one-half of the amount herein levied; defining the term 'cannon crackers,' and providing that nothing herein shall be construed to prohibit the sale of, or place a tax on the sale of cartridges, combustible packages or explosives, commonly used for firearms or artillery, mining, excavating earth or stone, scientific purposes, or for any public or private work, and declaring an emergency."

The bill was read third time, and passed by the following vote:

Yeas—20.

Adams.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Meachum.	Ward.
Paulus.	Watson.
Peeler.	Weinert.

Nays—4.

Alexander.	Masterson.
Hume.	Murray.

Absent.

Brachfield.	Thomas.
Bryan.	Veale.
Mayfield.	Willacy.

Absent—Excused.

Greer.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

# SENATE BILL NO. 111—HOUSE AMENDMENTS CONCURRED IN.

Senator Meachum called up

Senate bill No. 111, A bill to be entitled "An Act to define and regulate the practice of professional nursing, to create a board of nurse examiners for the examination of nurses, and to prescribe their qualifications, and to provide for their proper registration and to fix suitable penalties for the violation of this act, and declaring an emergency,"

And moved that the Senate concur in the following House amendments:

Amend said bill by striking out the words "and all fines collected," in Section 6, page 8.

The motion to concur prevailed by the following vote:

## Yeas—26.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Harper.	Real.
Hayter.	Senter.
Holsey.	Stokes.
Hudspeth.	Sturgeon.
Hume.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Willacy.

## Absent.

Bryan.	Veale.
Thomas.	Weinert.

## Absent—Excused.

Greer.

## HOUSE BILL NO. 35.

Senator Kellie called up House bill No. 35, there being no objection.

The Chair laid before the Senate, on second reading.

House bill No. 35, A bill to be entitled "An Act to amend Article 375, Title 11, Chapter 2 of the Penal Code of Texas, relating to raffles, and prescribing a penalty therefor."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time, and passed to third reading, but the vote was reconsidered.

Senator Kellie offered the following amendment, which was read and adopted:

Amend House bill No. 35 by adding after Section — the following:

"Section — The near approach of the end of the session and the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Bill read second time, and passed to third reading.

On motion of Senator Kellie, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—22.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Mayfield.	Ward.
Meachum.	Willacy.

## Nays—4.

Holsey.	Watson.
Masterson.	Weinert.

## Absent.

Hume.	Thomas.
Stokes.	Veale.

## Absent—Excused.

Greer.

The bill was read third time and passed.

Senator Kellie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SIXTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 269, A bill to be entitled "An Act providing for surveys within

this State for the construction and maintenance of pools, lakes, reservoirs, dams, canals and waterways, and for either or any of them, to prevent overflows, to procure drainage and for the improvement of rivers, creeks and streams by levees, or otherwise; to prevent overflows; to provide for the creation of a State Levee and Drainage Board, and defining and prescribing the duties and powers of said board, and providing for the payment of their expenses; authorizing and empowering said board to appoint a commissioner to be known as State Levee and Drainage Commissioner, defining his powers and prescribing his duties, and authorizing said board to prescribe his further duties not in conflict with this act, and making an appropriation to carry out the provisions of this act, and declaring an emergency," with amendments.

Senate bill No. 296, A bill to be entitled "An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Legislature, entitled 'An Act to promote agriculture and stock raising, and to prohibit the hunting with firearms or dogs upon the enclosed or posted lands of another, in all counties within this State, not specially named as exempted from the provisions of this act,' as amended by the Twenty-sixth Legislature, to provide penalties, and with an emergency clause."

Senate bill No. 301, A bill to be entitled "An Act changing and fixing the times of holding the courts in the Fortieth Judicial District of Texas, and providing for a longer term of court to be held in Ellis county, and for all writs and process returnable to the other courts at the time now fixed by law shall be returned at the terms and times now fixed by law shall be returnable at the terms and times as fixed by this act, and shall be valid; and the present district judge now in office and residing in the Fortieth Judicial District shall hold the several terms of court in said district, for and during the term for which he was elected, and this act shall not affect any term of the district court that may be in session in any of the various counties named herein at the time this act goes into effect, and declaring an emergency."

Senate bill No. 264, A bill to be entitled "An Act to amend Sections 5 and 6 of Chapter 134 of the General Laws passed by the Thirtieth Legislature, entitled 'An Act to authorize any county or any political subdivision of a county upon a vote of two-thirds majority of the res-

ident property taxpayers voting thereon, who are qualified electors of such county or political subdivision of the county, to issue bonds or otherwise lend its credit in any amount, not to exceed one-fourth of the assessed valuation of the real property of such county or political subdivision thereof, and to levy and collect taxes to pay the interest on said bonds, and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, graveled and paved roads and turnpikes or in aid thereof, and to add thereto Section 6a, creating road districts, and making them bodies corporate, and creating the office of road superintendent in such road districts, and declaring an emergency."

Senate bill No. 191, A bill to be entitled "An Act to provide for prospecting for mineral on land owned by the State of Texas, or the public free school fund, and on such land as the State has heretofore or may hereafter sell with the reservation of the mineral therein; also to provide for the prospect and sale of mineral-bearing land, including the minerals and the sale of the minerals in such land as has heretofore or may hereafter be sold with the reservation of minerals therein; providing penalties for the violation of this act, and repealing Chapter 71, Revised Civil Statutes of 1895, and Chapter 99, passed at the Regular Session of the Twenty-ninth Legislature, approved April 15, 1905, and declaring an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE JOINT RESOLUTION NO. 22.

Senator Cofer called up House Joint Resolution No. 22, there being no objection.

The Chair laid before the Senate, on second reading,

House Joint Resolution No. 22, To amend Section 1, Article 8 of the Constitution of the State of Texas, relating to taxation by exempting cotton and woolen mills' manufactures, including grounds, machinery and property incident to such business.

The committee report, which provided that the bill be not printed, was adopted.

The resolution was read second time, and passed to a third reading.

## HOUSE BILL NO. 297.

Senator Cofer called up for Senator Greer, who was absent, House bill No. 297.

The Chair laid before the Senate, on second reading,

House bill No. 297, A bill to be entitled "An Act to provide for the taking and perpetuation of evidence for the purpose of establishing the identity of ex-Confederate veterans, and such facts as will prove their right to a pension under and by virtue of the pension laws of Texas."

The committee report, which provided that the bill be not printed, was adopted.

Senator Cofer offered the following amendment, which was read, and adopted:

"The near approach of the close of the present session of the Legislature creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

And amend caption by adding: "And declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Cofer, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—22.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Harper.	Real.
Hudspeth.	Senter.
Hume.	Sturgeon.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	Ward.
Meachum.	Watson.

## Absent.

Bryan.	Thomas.
Hayter.	Veale.
Holsey.	Weinert.
Stokes.	Willacy.

## Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

## Yeas—22.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Cofer.	Perkins.
Harper.	Real.
Hudspeth.	Senter.
Hume.	Sturgeon.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

## Absent.

Bryan.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Holsey.	Thomas.
Stokes.	Veale.

## Absent—Excused.

Greer.

Senator Cofer moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SEVENTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 115, A bill to be entitled "An Act to provide additional compensation to all judges and district attorneys in the district courts of this State by allowing compensation for actual necessary traveling expenses when engaged in the discharge of their official duties in counties other than the county of their residence, and declaring an emergency."

Senate bill No. 252, A bill to be entitled "An Act to grant unto the United States of America a section of land in El Paso county, Texas, and to validate the patent issue thereon, and declaring an emergency."

Senate bill No. 300, A bill to be entitled "An Act to provide for the sale, disposition or removal of any and all property of the State of Texas which is or has been used by the Court of Criminal Appeals of the State of Texas, at Tyler and Dallas, Texas; to provide for the removal to Austin, Texas, of any of such property not so sold; to provide for the removal of any and all books,

papers and records of said court, as also all disposed and undisposed of cases, now at said Tyler and Dallas, Texas, to Austin, Texas, and to make an appropriation for said purpose; to provide for the compensation of the clerk of said court at Austin, and to authorize him to appoint a deputy, and to provide for the compensation of said deputy; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency," with amendments.

Respectfully,

**BOB BARKER,**

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 447.

Senator Hume called for House bill No. 162, but there was objection, and he called for House bill No. 447.

The Chair laid before the Senate, on second reading,

House bill No. 447, A bill to be entitled "An Act to amend chapter 121 of the Acts of the Twenty-ninth Legislature, the same being an act to prevent the keeping of certain fruit trees affected with yellows, crown gall, black knot, or any tree, shrub or plant infested with or by the San Jose scale or other dangerous, injurious or destructive pest; and declaring such affected and infested trees, shrubs and plants a public nuisance, and making it the duty of the Commissioner of Agriculture, Insurance, Statistics and History to seek out and destroy such trees, shrubs and plants, or cause the same to be done, or to have such affected or infested trees treated; and providing the manner of such destruction and treatment, and for an investigation by the Commissioner of Agriculture, Insurance, Statistics and History when he believes, or has reason to believe that such diseases or pests may exist in this State, and providing the manner of combating such diseases and pests, and the prevention of their spread and dissemination; providing for the examination of nurseries, and giving certificates to that effect; regulating the importation of trees, shrubs and plants from without the State; forbidding the selling, consigning or shipping of nursery stock without such certificates; providing for the fumigation of certain trees, shrubs and plants; providing penalties, and making an appropriation, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Senator Willacy offered the following

amendment, which was read and adopted:

Amend House bill No. 447 by striking out all of Section 9, after the word "act," in line 6, page 9, of the printed bill.

Senator Willacy offered the following amendment, which was read and adopted:

Amend Section 4, House bill No. 447, by striking out the words "guilty of any act as specified in this section, or" in line 15.

Senator Willacy offered the following amendment, which was read and adopted:

Amend House bill No. 447, Section 4, by striking out the word "such" in line 14, page 6.

Senator Willacy offered the following amendment, which was read and adopted:

Amend House bill No. 447, Section 4, by adding after the word "them" at the end of line 18, the words "and any person who shall make false representations for the purpose of obtaining a certificate from the Commissioner of Agriculture, or who shall fraudulently operate in any manner with his or their customers."

Bill read second time, and passed to third reading.

On motion of Senator Willacy, the constitutional rule requiring bills to be read on three several days was suspended, and bill put on its third reading and final passage by the following vote:

Yeas—26.

Adams.  
Alexander.  
Brachfield.  
Bryan.  
Cofer.  
Harper.  
Hudspeth.  
Hume.  
Kellie.  
Masterson.  
Mayfield.  
Meachum.  
Murray.

Paulus.  
Peeler.  
Perkins.  
Real.  
Senter.  
Stokes.  
Sturgeon.  
Terrell of Bowie.  
Terrell of McLennan.  
Ward.  
Watson.  
Weinert.  
Willacy.

Absent.

Hayter.  
Holsey.

Thomas.  
Veale.

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

## Yeas—26.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

## Absent.

Holsey.	Thomas.
Murray.	Veale.

## Absent—Excused.

Greer.

Senator Willacy moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

# SENATE BILL NO. 191—HOUSE AMENDMENTS CONCURRED IN.

Senator Hudspeth called up

Senate bill No. 191, A bill to be entitled "An Act to provide for prospecting for mineral on land owned by the State of Texas or the public free school fund, and on such land as the State has heretofore or may hereafter sell with the reservation of the mineral therein; also to provide for the prospect and sale of mineral-bearing land, including the minerals and the sale of the minerals in such land as has heretofore or may hereafter be sold with the reservation of minerals therein; providing penalties for the violation of this act, and repealing Chapter 71, Revised Civil Statutes of 1895, and Chapter 99, passed at the Regular Session of the Twentieth Legislature, approved April 15, 1905, and declaring an emergency."

And moved that the Senate concur in the following House amendments:

Amend Senate bill No. 191, by adding thereto Section 17b, as follows:

"Sec. 17b. Land that is now leased or that which may be leased hereafter shall be subject to the provisions of this act; provided, no prospector or purchaser under the provisions hereof shall include in any application to either prospect or purchase any well or spring supplying water or tank holding water or residence which may be situated upon

the leased land or land theretofore purchased, without first obtaining the consent of the owner of the lease or the purchaser of the soil."

Amend said bill by inserting after the word "therein" in the fifth line of Section 1, being line 24 of the printed bill, the words: "and all lands in lakes, bays and islands on the Gulf of Mexico within tide water limits, whether surveyed or unsurveyed."

Amend said bill by adding thereto Section 17c, as follows:

"Sec. 17c. All persons who are entitled to prospect, locate and purchase under the provisions of this act, and who have heretofore made application to purchase under pre-existing laws any of the lands mentioned in Section 1 of this act, and whose applications have not been granted on the ground that there was no law, or no adequate law, authorizing the sale of such lands for mineral purposes, shall have the preference right for ninety days after this act takes effect to make application under this act for the purchase of the lands so formerly applied for by them."

Amend said bill by striking out the following in Section 4:

"Provided that should the price be greater than \$25 per acre, then the purchaser shall continue to pay the amount per year until the full contract price is paid. But the Commissioner of the General Land Office must fix the price of said land at the time the applicant stakes off his claim and files affidavit of same in the Land Office."

The motion to concur prevailed by the following vote:

## Yeas—26.

Adams.	Murray.
Alexander.	Paulus.
Bryan.	Peeler.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.

## Nays—1.

Brachfield.

## Absent.

Perkins.	Veale.
Thomas.	

## Absent—Excused.

Greer.

Senator Hudspeth moved to reconsider the vote by which the amendments were concurred in, and lay that motion on the table.

The motion to table prevailed.

### SENATE BILL NO. 296—HOUSE AMENDMENT CONCURRED IN.

Senator Hudspeth called up Senate bill No. 296, A bill to be entitled "An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Legislature, entitled 'An Act to promote agriculture and stock raising, and to prohibit the hunting with fire-arms or dogs upon the enclosed or posted lands of another, in all counties within this State, not specially named as exempted from the provisions of this act,' as amended by the Twenty-sixth Legislature, to provide penalties, and with an emergency clause,"

And moved that the Senate concur in the following House amendment:

Amend by striking out the words "Newton and Sabine" in line 3, Section 6, page 2.

The motion to concur prevailed by the following vote:

#### Yeas—25.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Harper.	Senter.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Meachum.	Willacy.
Murray.	

#### Absent.

Cofer.	Thomas.
Hume.	Veale.
Stokes.	

#### Absent—Excused.

Greer.

Senator Hudspeth moved to reconsider the vote by which the amendment was concurred in, and lay that motion on the table.

The motion to table prevailed.

### SENATE BILL NO. 209.

Senator Terrell of McLennan called for Senate bill No. 209, there being no objection.

The Chair laid before the Senate, on second reading,

Senate bill No. 209, A bill to be entitled "An Act to amend Section 5, Chapter 131, Acts of the Regular Session of the Thirtieth Legislature, approved April 18, 1907, and entitled 'An Act to amend Sections 1, 4, 5, 6 and 11 of Chapter 108, Acts of the Twenty-ninth Legislature, being an act entitled "An Act regulating the sale of concentrated commercial feeding stuffs and the materials from which they are manufactured, defining concentrated feeding stuffs, prohibiting their adulteration, providing for their correct weighing and marking, and providing for the collection of samples, the expenses of the enforcement of the law, and fixing penalties for its violation," and to add thereto Section 11a, empowering the director of the Experiment Station to adopt standards and definitions for concentrated feeding stuffs, and to refuse the registration of feeding stuffs under certain circumstances and to cancel registration under certain circumstances after notice, and to empower said director to adopt rules and regulations for the enforcement of all of the provisions of this act.'"

#### RECESS.

On motion of Senator Cofer, the Senate recessed until 3 o'clock today.

#### AFTER RECESS.

The Senate was called to order by Lieutenant Governor Davidson.

Senator Alexander was called to the chair.

### SENATE BILL NO. 209.

Action recurred on Senate bill No. 209 (see morning proceedings for caption).

Bill read second time, and ordered engrossed.

Senator Terrell of McLennan moved that the constitutional rule requiring bills to be read on three several days be suspended and the bill put on its third reading.

The roll call showed no quorum present, the following answering to their names:

Alexander.	Hayter.
Brachfield.	Kellie.
Harper.	Masterson.



Mayfield.	Stokes.
Murray.	Terrell of Bowie.
Paulus.	Terrell of McLennan.
Peeler.	Watson.
Perkins.	Weinert.

Absent.

Adams.	Real.
Bryan.	Senter.
Cofer.	Sturgeon.
Holsey.	Thomas.
Hudspeth.	Veale.
Hume.	Ward.
Meachum.	Willacy.

Absent—Excused.

Greer.

Senator Kellie moved a call of the Senate, for the purpose of securing and maintaining a quorum, which motion was seconded.

The roll was called, the following answering to their names:

Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Harper.	Senter.
Hudspeth.	Stokes.
Hume.	Terrell of Bowie.
Kellie.	Terrell of McLennan.
Masterson.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.

Absent.

Adams.	Real.
Cofer.	Sturgeon.
Hayter.	Thomas.
Holsey.	Veale.
Meachum.	Ward.

Absent—Excused.

Greer.

Pending a short delay, Senators Cofer and Ward were announced present, which completed a quorum.

#### SENATE BILL NO. 209.

Action recurred on Senate bill No. 209, The question being on the motion to suspend the constitutional rule requiring bills to be read on three several days, and put the bill on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21.

Alexander.	Cofer.
Brachfield.	Harper.

Hudspeth.	Senter.
Hume.	Stokes.
Kellie.	Terrell of Bowie.
Masterson.	Terrell of McLennan.
Mayfield.	Ward.
Murray.	Watson.
Paulus.	Weinert.
Peeler.	Willacy.
Perkins.	

Absent.

Adams.	Real.
Bryan.	Sturgeon.
Hayter.	Thomas.
Holsey.	Veale.
Meachum.	

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—24.

Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hudspeth.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Murray.	Weinert.
Paulus.	Willacy.

Absent.

Adams.	Meachum.
Hayter.	Sturgeon.
Holsey.	Veale.

Absent—Excused.

Greer.

Senator Terrell of McLennan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE CONCURRENT RESOLUTION NO. 12.

Senator Hudspeth called up Senate Concurrent Resolution No. 12, there being no objection.

The Chair laid before the Senate,

Senate Concurrent Resolution No. 12, Validating the sale of certain lands in Uvalde county, and authorizing the Commissioner of the General Land Office to issue patent on same under certain conditions, etc.

The committee report, which provided

that the bill be not printed, was adopted.

The resolution was read and adopted.

### SENATE BILL NO. 300.

Senator Murray called up

Senate bill No. 300, A bill to be entitled "An Act to provide for the sale, disposition or removal of any and all property of the State of Texas, which is or has been used by the Court of Criminal Appeals of the State of Texas, at Tyler and Dallas, Texas; to provide for the removal to Austin, Texas, of any of such property not so sold; to provide for the removal of any and all books, papers and records of said court, as also all disposed and undisposed of cases now at said Tyler and Dallas, Texas, to Austin, Texas, and to make an appropriation for said purpose; to provide for the compensation of the clerk of said court at Austin, and to authorize him to appoint a deputy, and to provide for the compensation of said deputy; to repeal all laws and parts of laws in conflict herewith, and to declare an emergency."

And moved that the Senate do not concur in the following House amendments and requested a conference committee:

Amend Senate bill No. 300 by striking out of lines 8 and 9, Section 2, page 4, the words "two thousand" and insert in lieu thereof the words "fifteen hundred."

The motion to nonconcur prevailed, and following is the Conference Committee appointed by the Chair: Senators Murray, Weinert, Paulus, Watson and Terrell of Bowie.

### HOUSE BILL NO. 232.

Senator Terrell of Bowie called up House bill No. 232.

The Chair laid before the Senate, on second reading,

House bill No. 232, A bill to be entitled "An Act to prohibit the giving or delivery of any spirituous, vinous or intoxicating liquors to any person under the age of twenty-one years, whether consigned to such person or other person, without the written consent of the parent or guardian of such minor, and to prohibit the causing of or being instrumental in any such gift or delivery, and to prohibit the agents of any express company or common carrier from making such gift or delivery or causing the same to be done, or being interested therein, and providing penalties therefor."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to third reading.

On motion of Senator Terrell of Bowie the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—25.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Bryan.	Real.
Cofer.	Senter.
Harper.	Stokes.
Hayter.	Sturgeon.
Holsey.	Terrell of Bowie.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Murray.	

Absent.

Hudspeth.	Thomas.
Meachum.	Veale.
Terrell of McLennan.	

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—24.

Adams.	Paulus.
Alexander.	Peeler.
Brachfield.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Terrell of Bowie.
Hume.	Thomas.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.

Absent.

Bryan.	Sturgeon.
Hudspeth.	Terrell of McLennan
Meachum.	Veale.

Absent—Excused.

Greer.

Senator Terrell of Bowie moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## EIGHTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House has  
passed the following bills:

Senate bill No. 291, A bill to be entitled  
"An Act to authorize the incorporation  
of life, accident and health insurance  
companies and defining same; and to  
authorize such companies to transact  
business in the State of Texas; to au-  
thorize other like companies incorpo-  
rated under the laws of other States,  
Territories and countries to transact  
business in this State; to regulate the  
business of such companies; to define  
the duties and powers of the Commis-  
sioner of Insurance and Banking and  
give to him authority to issue, suspend  
and revoke permits to such companies  
to transact business in this State and  
to apply for the appointment of a re-  
ceiver for such companies when they  
become impaired; defining the method of  
arriving at the value of personal prop-  
erty of such companies for purpose of  
State, county and municipal taxation,  
and exempting such companies from an  
occupation or gross receipts tax; to fix  
the situs of personal property of such  
companies for purpose of taxation; to  
permit the deposit of securities in the  
office of the State Treasurer; fixing  
venue of suits and providing the method  
and manner of service of process; pro-  
viding penalties for violation of the pro-  
visions of this act; repealing all laws in  
conflict herewith, and declaring an emer-  
gency," with amendments.

Senate bill No. 218, A bill to be entitled  
"An Act to better define and punish  
vagrancy," prescribing the rules of pro-  
cedure in the prosecution of vagrants,  
and fixing a punishment for vagrancy,  
and repealing all laws and parts of  
laws in conflict herewith, and declaring  
an emergency," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

## SIMPLE RESOLUTION.

Senator Murray offered the following  
resolution:

Whereas, The Senate suspended the  
constitutional rule requiring bills to be  
read on three several days, and placed

upon third reading and final passage  
Senate bill No. 209; and

Whereas, It has been discovered that  
said bill has no emergency clause;  
therefore, be it

Resolved, That the vote by which said  
bill passed be rescinded, and that all  
record in the Journal relating to the  
suspension of the constitutional rule and  
the final passage of Senate bill No. 209  
be expunged from the record.

The resolution was laid on the table,  
subject to call.

## NINTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the  
Senate.

Sir: I am directed by the House to  
inform the Senate that the House con-  
curs in Senate amendments to House  
bills Nos. 229 and 447.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SENATE BILL NO. 291—HOUSE  
AMENDMENTS CONCURRED IN.

Senator Watson called up

Senate bill No. 291, A bill to be entitled  
"An Act to authorize the incorporation  
of life, accident and health insurance  
companies, and defining same, and to  
authorize such companies to transact  
business in the State of Texas; to au-  
thorize other like companies incorpo-  
rated under the laws of other States,  
Territories and countries to transact  
business in this State; to regulate the  
business of such companies; to define  
the duties and powers of the Commis-  
sioner of Insurance and Banking and  
give to him authority to issue, suspend  
and revoke permits to such companies  
to transact business in this State and  
to apply for the appointment of a re-  
ceiver for such companies when they be-  
come unpaid; defining the method of  
arriving at the value of personal prop-  
erty of such companies for the purpose  
of State, county and municipal taxation  
and exempting such companies from an  
occupation or gross receipts tax; to fix  
the situs of personal property of such  
companies for the purpose of taxation;  
to permit the deposit of securities in  
the office of the State Treasurer, fixing  
venue of suits and providing the method  
and manner of service of process; pro-

viding penalties for violation of the provisions of this act; repealing all laws in conflict herewith, and declaring an emergency."

And moved that the Senate concur in the following House amendments:

Amend by striking out Subdivision (a), Section 10, page 12 of the original bill, and substituting as follows:

"(a) It may invest any of its funds or accumulations in the bonds of the United States or of any State, county or city of the United States, or the bonds of any independent or common school district, or first mortgage bonds of any dividend-paying railroad or electric railway company duly incorporated under the laws of the United States or any State thereof."

The motion to concur prevailed.

#### HOUSE BILL NO. 526.

Senator Masterson called up House bill No. 526.

The Chair laid before the Senate, on second reading,

House bill No. 526, A bill to be entitled "An Act to amend Article 1098 (1066) of Chapter 3 of the Code of Criminal Procedure of the Revised Statutes of 1895, relating to the pay of jail guards."

The committee report, which provided that the bill be not printed, was adopted.

Senator Senter offered the following amendment:

Amend the bill, Section 1, by adding at the end thereof the following words: "Provided, whenever any sheriff shall receive net revenues from the performance of the duties of his office amounting to as much as \$3000, as may be shown by the report thereof, which the commissioners court shall have authority to require him to make, he shall not be entitled to receive or to retain any sum whatever for payment for jail guards for such year."

Senator Masterson moved to table the amendment, which motion prevailed by the following vote:

Yeas—18.

Adams.	Masterson.
Alexander.	Murray.
Brachfield.	Paulus.
Bryan.	Peeler.
Harper.	Real.
Hayter.	Terrell of McLennan.
Hudspeth.	Ward.
Hume.	Watson.
Kellie.	Willacy.

Nays—5.

Holsey.  
Mayfield.  
Senter.

Sturgeon.  
Terrell of Bowie.

Absent.

Cofer.  
Meachum.  
Perkins.  
Stokes.

Thomas.  
Veale.  
Weinert.

Absent—Excused.

Greer.

Senator Masterson moved the previous question on the bill, which motion being duly seconded, was so ordered.

Bill read second time, and passed to a third reading.

On motion of Senator Masterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—19.

Adams.  
Alexander.  
Brachfield.  
Bryan.  
Harper.  
Hayter.  
Holsey.  
Hudspeth.  
Kellie.  
Masterson.

Mayfield.  
Paulus.  
Peeler.  
Real.  
Terrell of Bowie.  
Terrell of McLennan.  
Ward.  
Watson.  
Willacy.

Nays—3.

Senter.  
Sturgeon.

Thomas.

Absent.

Cofer.  
Hume.  
Meachum.  
Murray.

Perkins.  
Stokes.  
Veale.  
Weinert.

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—17.

Adams.  
Alexander.  
Brachfield.  
Bryan.  
Harper.  
Hayter.  
Hudspeth.  
Kellie.  
Masterson.

Murray.  
Paulus.  
Peeler.  
Perkins.  
Real.  
Ward.  
Watson.  
Willacy.

Nays—5.

Holsey.	Sturgeon.
Mayfield.	Terrell of Bowie.
Senter.	
	Absent.
Cofer.	Terrell of McLennan.
Hume.	Thomas.
Meachum.	Veale.
Stokes.	Weinert.
	Absent—Excused.
Greer.	

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

### SIMPLE RESOLUTION.

By Senator Hayter:

Resolved by the Senate, That 5000 copies of House bill No. 28 be printed in pamphlet form for distribution by the members of the Legislature and Pure Food Commissioner, and be paid for out of the contingent fund of the Thirty-first Senate.

The resolution was read, and adopted.

### HOUSE BILL NO. 476.

Senator Paulus called up House bill No. 476.

The Chair laid before the Senate, on second reading,

House bill No. 476, A bill to be entitled "An Act to compel railroad and railway corporations to erect and maintain water closets or privies at passenger stations; to regulate the same; to fix penalties and authorize suits therefor, with an emergency clause."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Paulus, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Masterson.
Alexander.	Mayfield.
Brachfield.	Murray.
Bryan.	Paulus.
Harper.	Peeler.
Hayter.	Real.
Hudspeth.	Senter.
Kellie.	Sturgeon.

Terrell of Bowie.	Weinert.
Ward.	Willacy.
Watson.	
	Absent.
Cofer.	Stokes.
Holsey.	Terrell of McLennan.
Hume.	Thomas.
Meachum.	Veale.
Perkins.	
	Absent—Excused.
Greer.	

The bill was read third time, and passed by the following vote:

Yeas—22.

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Real.
Harper.	Senter.
Hayter.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.

Absent.

Cofer.	Stokes.
Holsey.	Terrell of McLennan.
Meachum.	Thomas.
Perkins.	Veale.

Absent—Excused.

Greer.

Senator Paulus moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

### HOUSE BILL NO. 127.

Senator Mayfield called up House bill No. 127.

The Chair laid before the Senate, on third reading,

House bill No. 127, A bill to be entitled "An Act to require all railroad companies doing business in this State to provide suitable premises and shelter for the protection from the weather of their employes while engaged in labor in the service of such railroad company."

The bill was read third time and passed.

Senator Brachfield moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

# SENATE BILL NO. 218—HOUSE AMENDMENTS CONCURRED IN.

Senator Senter called up

Senate bill No. 218, A bill to be entitled "An Act to better define and punish vagrancy, prescribing the rules of procedure in the prosecution of vagrants, and fixing a punishment for vagrancy, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And moved that the Senate concur in the following House amendments:

Amend Sections 4, lines 20 and 21, by striking out all after "fifty dollars," and inserting in lieu of "fifty dollars" "two hundred dollars."

The motion to concur prevailed.

## HOUSE BILL NO. 468.

Senator Perkins called up House bill No. 468.

The Chair laid before the Senate, on second reading,

House bill No. 468, A bill to be entitled "An Act to define the offense of abandonment after seduction and marriage of an unmarried female under twenty-five years of age; providing punishment, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

Bill read second time, and passed to a third reading.

On motion of Senator Perkins, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Bryan.	Senter.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Murray.	

Absent.

Cofer.	Stokes.
Holsey.	Terrell of McLennan.
Hudspeth.	Thomas.
Meachum.	Veale.
Paulus.	

Absent—Excused.

Greer.

The bill was read third time, and passed by the following vote:

Yeas—21.

Adams.	Perkins.
Alexander.	Real.
Brachfield.	Senter.
Bryan.	Sturgeon.
Harper.	Terrell of Bowie.
Hume.	Terrell of McLennan.
Kellie.	Ward.
Masterson.	Watson.
Mayfield.	Weinert.
Murray.	Willacy.
Peeler.	

Absent.

Cofer.	Paulus.
Hayter.	Stokes.
Holsey.	Thomas.
Hudspeth.	Veale.
Meachum.	

Absent—Excused.

Greer.

Senator Perkins moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## EXECUTIVE MESSAGE.

Executive Office,  
State of Texas.

Austin, Texas, March 12, 1909.

To the Senate:

The advice and consent of the Senate is requested to the following appointments as notaries public, as per list attached.

T. M. CAMPBELL,  
Governor.

## BAYLOR COUNTY.

J. O. Woodgear.....	Seymour
G. S. Plants, Sr.....	Seymour
G. S. Plants.....	Seymour

## BELL COUNTY.

Ethel Silman .....	Temple
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## BEXAR COUNTY.

Chas. T. Halton.....	San Antonio
Ernest Fellbaum .....	San Antonio
B. A. Greathouse.....	San Antonio
T. T. Vander Hoeven..	San Antonio
George R. Gillette.....	San Antonio
C. W. Harris.....	San Antonio
Jay Minter .....	San Antonio
H. K. Breneman.....	San Antonio

**BOSQUE COUNTY.**

D. E. Cavness.....Iredell

**BOWIE COUNTY.**

J. A. Ellis.....New Boston

R. L. Lassiter.....Bassett

**CALLAHAN COUNTY.**

C. C. Andrews.....Baird

**CAMERON COUNTY.**

Emilio C. Forto.....Brownville

**CHAMBERS COUNTY.**

A. Z. Beeson.....Anahuac

A. L. Beeson.....Hankomer

**COLLIN COUNTY.**

Miss Minnie Burrage.....McKinney

J. R. Gough.....McKinney

**COLORADO COUNTY.**

Harry H. Houston.....Weimar

Will F. Miller.....Weimar

H. A. Townsend.....Columbus

O. H. Lutz.....Columbus

W. H. Brooks.....Columbus

White Boyd.....Columbus

Hugh Brown.....Columbus

C. R. Grobe.....Columbus

F. G. Mahon.....Columbus

J. A. Toliver.....Columbus

S. L. Green.....Columbus

L. D. Shaw.....Columbus

J. J. Harrison.....Columbus

S. H. Simpson.....Columbus

B. H. Ash.....Columbus

J. R. Wooten.....Columbus

R. E. Farmer.....Columbus

James T. Johnson.....Columbus

W. A. Young.....Glidden

H. C. Thomas.....Altair

R. H. Dunlavy.....Altair

T. A. Hill.....Weimar

J. T. Walker.....Weimar

John C. Hubbard.....Weimar

B. B. Holt.....Weimar

J. O. Boettcher.....Weimar

J. J. Holloway.....Weimar

H. L. Eck.....Weimar

W. S. Strickland.....Eagle Lake

M. E. Guynn.....Eagle Lake

H. W. Caruthers.....Eagle Lake

P. P. Putney.....Eagle Lake

Walter F. Brown.....Eagle Lake

S. O. McCarty.....Eagle Lake

W. M. Williamson.....Eagle Lake

W. F. B. Wicker.....Eagle Lake

M. C. Yates.....Eagle Lake

J. E. Roberts.....Eagle Lake

Fox Stephens.....Eagle Lake

R. J. Putney, Sr.....Eagle Lake

L. V. Hahn.....Eagle Lake

J. F. Leyendecker.....Frelsburg

H. E. Bretschneider.....Frelsburg

John F. Frnka.....Nada

J. J. Potter.....Nada

Frank P. Arnold.....Garwood

L. T. Richardson.....Garwood

W. J. Roberts.....Garwood

E. R. Frnka.....Garwood

W. T. Chester.....Chesterville

C. S. Matby.....Chesterville

John Baxter.....Rock Island

H. S. Lundy.....Rock Island

John T. Line.....Rock Island

Chas. Davis.....Faber

**DALLAM COUNTY.**

D. N. Rychards.....Dalhart

W. W. Moore.....Dalhart

**DALLAS COUNTY.**

T. E. Watson.....Dallas

J. W. Skiles.....Dallas

Alma Walne.....Dallas

W. G. Cathey.....Dallas

W. H. Bledsoe.....Dallas

R. H. Lee.....Dallas

J. R. Haynes.....Dallas

C. P. Haynes.....Dallas

C. L. Allen.....Dallas

Wm. C. McCutcheon.....Dallas

H. E. Jackson.....Dallas

H. G. King.....Dallas

F. Lee Williams.....Dallas

C. F. Crutcher.....Dallas

J. O. Humphreys.....Dallas

**DELTA COUNTY.**

J. M. Cower.....Klondike

**DONLEY COUNTY.**

W. P. Blake.....Clarendon

J. C. Killough.....Clarendon

B. F. Smith.....Clarendon

**EASTLAND COUNTY.**

J. L. Ceeford.....Eastland

**ELLIS COUNTY.**

Moise Cox.....Ennis

**EL PASO COUNTY.**

A. Holmes Kent.....El Paso

**GRAY COUNTY.**

S. O. Cook.....McLean

**GRAYSON COUNTY.**

J. L. Anderson.....Tioga

T. L. Brome.....Sherman

J. F. Bennett.....Pottsboro

## GONZALES COUNTY.

C. A. Nuhn ..... Gonzales

## GREGG COUNTY.

E. S. Perry ..... Longview

## HALE COUNTY.

W. B. Lewis ..... Plainview

## HAMILTON COUNTY.

J. T. James ..... Hamilton

Cecil B. James ..... Hamilton

## HARDIN COUNTY.

W. E. Adams ..... Kountze

Hill C. Adams ..... Kountze

## HARTLEY COUNTY.

C. H. Buttolph ..... Hartley

## HARRIS COUNTY.

E. H. Vasmer ..... Houston

Miss Ida G. Young ..... Houston

J. N. Jackson ..... Houston

## HEMPHILL COUNTY.

N. P. Willis ..... Canadian

## JASPER COUNTY.

I. S. Bean ..... Jasper

D. E. Guntor ..... Kirbyville

## JEFFERSON COUNTY.

R. D. Steele ..... Port Arthur

B. E. Moore ..... Beaumont

## JONES COUNTY.

C. W. Middleton ..... Hamlin

N. A. Brown ..... Hamlin

A. H. Blineby ..... Hamlin

P. S. Sowell ..... Stamford

N. J. Smith ..... Sinclair

## KAUFMAN COUNTY.

J. B. Hanes ..... Kaufman

W. Charlton Griffith ..... Terrell

Martin Eastwald ..... Mabank

S. N. Adams ..... Crandall

L. L. Rodgers ..... Kaufman

T. B. Griffith ..... Terrell

Temple Nash ..... Kaufman

L. J. Turner ..... Lawrence

B. T. Henderson ..... Terrell

C. H. Cole ..... Kaufman

Porter M. Travis ..... Terrell

S. N. Adams ..... Crandall

J. W. McFarland ..... Scurry

F. M. Adams, Sr. .... Forney

Dr. W. J. Johnson ..... Terrell

J. C. Anderson ..... Terrell

## KNOX COUNTY.

A. G. Hall ..... Goree

## LAMAR COUNTY.

J. R. G. Long ..... Paris

## LIBERTY COUNTY.

John H. Carson ..... Liberty

James D. Hunnicutt ..... Liberty

J. A. Jett ..... Liberty

Dan J. Harrison ..... Liberty

W. T. Swilley ..... Liberty

W. W. Jett ..... Liberty

## LOVING COUNTY.

W. M. Smith, Jr. .... Loving

John Young ..... Alpine

## LUBBOCK COUNTY.

M. L. Rendleman ..... Lubbock

## LYNN COUNTY.

W. B. Slaton ..... Tahoka

## MATAGORDA COUNTY.

J. F. Barnett ..... Palacios

## MAVERICK COUNTY.

W. M. Harmon ..... Eagle Pass

W. J. Niggle ..... Eagle Pass

## MCLENNAN COUNTY.

J. M. Washam ..... Crawford

## MIDLAND COUNTY.

J. Hunter Clark ..... Midland

## MITCHELL COUNTY.

D. C. McRae ..... Loraine

## MONTAGUE COUNTY.

B. A. Winter ..... Nocona

W. W. Cooke ..... Montague

## NACOGDOCHES COUNTY.

B. L. Joplin ..... Nacogdoches

J. B. Stripling ..... Nacogdoches

## NOLAN COUNTY.

Sam H. Davis ..... Roscoe

## NUECES COUNTY.

Henry S. Fulton ..... Corpus Christi

K. K. Mims ..... Corpus Christi

## PALO PINTO COUNTY.

R. A. Moore ..... Niwot

Thomas A. Guthrie ..... Mingus



**PARKER COUNTY.**

John Davenport .....Whitt

**POTTER COUNTY.**

R. F. Pool.....Amarillo  
 J. N. Bradshaw.....Amarillo  
 R. W. Graham.....Amarillo  
 R. E. Underwood.....Amarillo  
 Henry S. Bishop.....Amarillo  
 G. N. Wharton.....Amarillo  
 E. R. Crittenden.....Amarillo  
 R. L. Roberts.....Amarillo

**RAINS COUNTY.**

W. H. Clendenin.....Emory  
 Will A. Harris.....Emory  
 W. E. Beavers.....Emory  
 O. E. Nunn.....Emory  
 J. W. Montgomery.....Point.

**RANDAL COUNTY.**

D. A. Park.....Canyon

**REEVES COUNTY.**

F. C. Tucker.....Toyah  
 P. K. Holmes.....Toyah  
 J. M. Montgomery.....Toyah

**RUSK COUNTY.**

W. E. DeLamar.....Henderson  
 Elmer Barefield .....Minden

**SAN AUGUSTINE COUNTY.**

James L. Sharp.....San Augustine  
 H. H. Fryer.....San Augustine  
 Fanny Kelly .....San Augustine

**SHERMAN COUNTY.**

John Houser .....Stratford  
 Walter Colton .....Stratford

**TARRANT COUNTY.**

J. Shepherd .....Fort Worth  
 W. S. Cooke.....Fort Worth  
 W. M. Corrnell.....Fort Worth  
 W. P. Corrnell.....Fort Worth  
 J. F. Prosser.....Fort Worth  
 Charles Braselton .....Fort Worth  
 Otto Brown .....Fort Worth  
 F. A. Rogers.....Fort Worth  
 Rufus Cox .....Fort Worth  
 W. D. Bolton.....Fort Worth  
 F. M. Bronsford.....Fort Worth  
 Lily Deason .....Fort Worth

**TAYLOR COUNTY.**

P. T. Hunt.....Tuscola

**TOM GREEN COUNTY.**

Alex Collins .....San Angelo  
 W. C. Blanks.....San Angelo  
 M. Aycock .....San Angelo

**TRAVIS COUNTY.**

F. H. Smith.....Austin  
 Charles E. Pickle.....Austin  
 T. H. Barrow.....Austin

**TYLER COUNTY.**

W. A. Johnson.....Woodville  
 R. M. Shivers.....Woodville  
 D. S. Whitehead.....Center  
 W. M. Carter.....Rockland  
 J. H. Pedigo.....Pedigo  
 J. H. Shepherd.....Emilee

**UPSHUR COUNTY.**

E. L. Barnwell.....Gilmer

**VAN ZANDT COUNTY.**

Kearby Griffin .....Canton  
 C. E. Stromberg.....Grand Saline  
 J. W. Peavy.....Edgewood  
 J. P. Downs.....Edgewood  
 Ed Mills .....Canton

**WARD COUNTY.**

E. M. Black.....Barstow

**WEBB COUNTY.**

J. E. Neal.....Torrecillas  
 P. W. Herren.....White Swann

**WHEELER COUNTY.**

W. S. Pendleton.....Shamrock

**WINKLER COUNTY.**

John Alfred Martin, Jr.....Winkler

**EXECUTIVE SESSION—TIME SET FOR.**

Senator Brachfield moved that the Senate go into Executive Session tomorrow morning at 9 o'clock for the purpose of considering the above appointments.

The motion prevailed.

**RECESS.**

On motion of Senator Masterson, the Senate recessed until 8 o'clock tonight.

**AFTER RECESS—NIGHT SESSION.**

The Senate was called to order by President Pro Tem. Terrell.

Senator Brachfield called for House bill No. 185, but there was objection. Senator Watson moved that the Senate recess until 8:30 o'clock.

The motion to recess prevailed.

The Senate was called to order by Lieutenant Governor Davidson.

Senator Terrell of Bowie made the point of order that there was no quorum present, and moved a call of the Senate for the purpose of securing and maintaining a quorum.

The motion was seconded.

The roll was called, the following answering to their names:

Cofer.	Peeler.
Harper.	Sturgeon.
Hayter.	Terrell of Bowie.
Holsey.	

Absent.

Adams.	Perkins.
Alexander.	Real.
Brachfield.	Senter.
Bryan.	Stokes.
Hudspeth.	Terrell of McLennan.
Hume.	Thomas.
Kellie.	Veale.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent—Excused.

Greer.

The Sergeant-at-Arms was instructed to bring in the absentees.

Pending delay, the roll was called, a quorum being present, the following Senators answering to their names:

Adams.	Murray.
Alexander.	Paulus.
Brachfield.	Peeler.
Bryan.	Perkins.
Cofer.	Real.
Harper.	Senter.
Hayter.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Terrell of Bowie.
Hume.	Ward.
Kellie.	Watson.
Masterson.	Weinert.
Mayfield.	Willacy.
Meachum.	

Absent.

Terrell of McLennan. Veale.  
Thomas.

Absent—Excused.

Greer.

#### TENTH HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, March 12, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

Senate Concurrent Resolution No. 3:

Whereas, The Hood's Texas Brigade Monument Committee desires to erect a monument upon the Capitol grounds to Hood's Texas Brigade, whose deeds of valor and patriotic sacrifice are inseparable from the history of '61 to '64, and contributed much to the glory of Texas; etc.

Also concurs in Senate amendments to House bills Nos. 35 and 297.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### HOUSE BILL NO. 150.

Senator Alexander called up House bill No. 150, there being no objection.

The Chair laid before the Senate, on second reading,

House bill No. 150, A bill to be entitled "An Act to amend Sections 105, 106, 108, 109, 112, 113, 114, 117, 118, 119, 120, 121, 122 and 123 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to teachers' certificates."

The committee report, which provided that the bill be not printed, was adopted.

Senator Alexander offered the following amendment:

Amend the bill by inserting in Section 117, line 3, page 4, of House bill after the word "subjects," the following: "Provided, the county board of examiners shall keep a record of all grades made by applicants upon which county certificates of any grade are issued by them, and such applicants may make use of such grades when applying for a county certificate of a higher grade as is above provided for the obtaining of a State certificate of a higher grade."

ALEXANDER,

TERRELL of Bowie.

The amendment was read, and adopted.

Senator Alexander offered the following amendment:

Amend by inserting in line five (5), Section 123, after the word "education" the following words: "Or who shall hold such a diploma from such a college or university, and who shall have had three years' experience in teaching."

The amendment was read, and adopted by the following vote:

Yeas—14.

Alexander.	Harper.
Brachfield.	Hayter.

Masterson.  
Mayfield.  
Peeler.  
Real.  
Stokes.

Terrell of Bowie.  
Terrell of McLennan.  
Weinert.  
Willacy.

Nays—8.

Adams.  
Hudspeth.  
Hume.  
Kellie.  
Murray.

Paulus.  
Perkins.  
Senter.  
Watson.

Absent.

Bryan.  
Cofer.  
Holsey.  
Meachum.

Sturgeon.  
Thomas.  
Veale.  
Ward.

Absent—Excused.

Greer.

(Senator Hudspeth in the chair.)

The question on the bill was the passage to third reading, and

Senator Watson moved that further consideration of same be postponed until tomorrow at 11:59 o'clock.

Senator Watson moved the previous question on the motion to postpone, which motion was duly seconded, and the previous question was ordered by the following vote:

Yeas—16.

Adams.  
Brachfield.  
Hudspeth.  
Hume.  
Kellie.  
Masterson.  
Murray.  
Paulus.

Peeler.  
Real.  
Senter.  
Terrell of Bowie.  
Terrell of McLennan.  
Watson.  
Weinert.  
Willacy.

Nays—6.

Alexander.  
Harper.  
Hayter.

Mayfield.  
Perkins.  
Stokes.

Absent.

Bryan.  
Cofer.  
Holsey.  
Meachum.

Sturgeon.  
Thomas.  
Veale.  
Ward.

Absent—Excused.

Greer.

The motion to postpone was then adopted by the following vote:

Yeas—15.

Adams.  
Brachfield.

Hudspeth.  
Hume.

Kellie.  
Masterson.  
Murray.  
Paulus.  
Peeler.  
Real.

Senter.  
Terrell of McLennan.  
Watson.  
Weinert.  
Willacy.

Nays—7.

Alexander.  
Harper.  
Hayter.  
Mayfield.

Perkins.  
Stokes.  
Terrell of Bowie.

Absent.

Bryan.  
Cofer.  
Holsey.  
Meachum.

Sturgeon.  
Thomas.  
Veale.  
Ward.

Absent—Excused.

Greer.

On motion of Senator Watson, the Senate was at ease for 15 minutes.

The Senate was called to order by Senator Hudspeth.

#### STATEMENT.

Senator Holsey offered the following:

Hon. A. B. Davidson, President of the Senate, and Senators:

Some time back I arose to a point of personal privilege and called the attention of the Senate to what I thought to be a violation of the anti-lobby law, and since which time I have given out interviews to the press and made other statements on the floor of the Senate—some of which interviews and statements made by me, the members think, reflect upon their honesty and integrity; and such not being my intention, I think it proper and fair to all concerned to make the following statement:

I wish to state that I absolutely know of no member of this Senate engaging in anything within this Capitol that is dishonest or disreputable in any particular, and when I said in an interview given out by me that there was a scandal in which some members of the Legislature were connected. I did not mean to convey the idea that there had been any scandal of any kind in the Capitol so far as the Senate is concerned, but had reference to some unlawful gaming, towit: Poker playing in certain places in Austin in which some members of the Legislature were engaged.

Upon the statement as to whether certain members of the Legislature have since coming to Austin engaged in poker playing, if any one has a doubt about

the truth or correctness of that statement, I refer them to the court records of Travis county. The reason I do not wish to give the names of the parties who were connected with the poker playing is that I do not care to make this a personal matter; nor do I wish to do any member of this Senate an injustice, and have not intentionally done so.

I hope this will be satisfactory, and as far as I am concerned, I am through with the whole matter, and will not discuss it on the floor of the Senate or through the press another time during the sitting of this Legislature.

H. BASCOM THOMAS.

The above was laid on the table subject to call.

#### SIMPLE RESOLUTION.

Senator Brachfield offered the following resolution:

Whereas, The Senator from Hopkins county, H. Bascom Thomas, as a member of this body, has deliberately and wilfully made and offered for publication and published the following statements, which said statements are hereto attached and marked Exhibits "A" and "B" respectively. The contents of said articles being in part in the handwriting of the said H. Bascom Thomas, and

Whereas, Said statements are wilful and deliberate falsehoods, attacking the integrity and honesty of the people's representatives in this body, deliberately made with the view of injuring not only their good name, but the good name of the people whom they have the honor to represent, and

Whereas, The Committee of Investigation to which said articles refer are honorable and honest members of this body, and

Whereas, The attached exhibits charge not only the Senate with being grafters, guilty of rottenness and corruption, connected with an infamous scandal which would bring shame to this State, and

Whereas, Said articles charge the members of this Senate of being afraid of having it exposed, and

Whereas, The charges made in said exhibits are wilfully made to bring shame upon the membership of this body, as well as the people they represent; now therefore, the premises considered, be it

Resolved by this body, That on account of and by virtue of the issuing and publishing of these attached state-

ments, derogatory to the good name of the committee referred to herein and the good name of the Senate as well as the State, and by virtue of the issuing of these attached statements, the Senate of the State of Texas is compelled in justice to itself to expel the said H. Bascom Thomas from membership in this body, and to declare vacant his seat upon the floor of this body, and his membership therein, and upon the adoption of this resolution he is hereby expelled from this Senate; the Sergeant-at-Arms of the Senate of the State of Texas is directed and commanded to refuse the said H. Bascom Thomas the privileges of the Senate while in session, and to notify the said H. Bascom Thomas of his expulsion from the Senate, and the Governor of Texas be notified by the Secretary of the Senate that the seat of the Senator from the Second District is vacant.

HUME,  
BRACHFIELD,  
MASTERSON,  
KELLIE,  
WILLACY,  
PERKINS,  
TERRELL of Bowie,  
ADAMS,  
WATSON,  
SENER,  
HUDSPETH,  
REAL,  
PAULUS,  
HARPER,  
PEELER,  
WEINERT,  
MURRAY,  
TERRELL of McLennan.

#### EXHIBIT "A."

Senator Thomas this evening gave out the following statement:

I am dumbfounded at the action of the Senate this evening in adopting the committee report of the investigation of violations of the anti-lobby law. Notwithstanding the fact that the newspapers of the State were not permitted to publish any of the facts and evidence disclosed before the committee, and notwithstanding the fact that no member of the Senate knew anything of the testimony disclosed before the investigation—then to go and shut off any discussion so that the people and the Senate could be informed as to what was brought before the committee is an unheard of investigation or suppression. What a difference in this investigation

and the one now in progress at the other end of the Capitol, where the press is given the facts for the people and where a full discussion of the testimony is invited by all members of the House.

I understand that part of the testimony is to be kept out of the record, especially that part which connects members of the Senate with an infamous scandal which ought to make us all go back home with heads dropped in shame and humiliation. Last Saturday, and even yesterday, Senator Sturgeon told me the committee would adopt the report prepared by Monta J. Moore, which fully sustained my charges, and last Saturday Sturgeon even requested me to write out the report for the committee. Every honest man in Texas, including members of the Senate, know my charges to be true, and in a short time I will publish in pamphlet form a detailed report of the investigation, so that the people will know something of the graft, rottenness and corruption that prevails among the so-called representatives of the people. The Senate this afternoon would not have permitted me to discuss that report and the facts disclosed before the investigation for half this Capitol, for my remarks would have forever sent to their political graves several men of prominence connected with this Senate.

#### EXHIBIT "B."

Mr. President and Gentlemen of the Senate:

A short time since, standing at this seat, I made charges on a point of personal privilege, that there had been a thousand specific violations of the anti-lobby law on the floor of the Senate and in the committee rooms, since the Legislature convened, and I appealed to the members of this Senate to co-operate with me in an endeavor to bring about a rigid enforcement of the provisions of the anti-lobby law. I not only believe that that statement was true, but I know beyond a doubt that I have witnessed with my own eyes and heard with my own ears these violations of the law. A few days subsequent to the time the charges were made, an investigating committee was appointed to investigate the charges, and the Senator from Hopkins was given authority to employ counsel to assist in the development of the facts and evidence which will sustain these charges. Many witnesses were brought before the committee for examination and the facts dis-

closed by them all is a practical admission of the truth of the charges made. Before my counsel, Monta J. Moore, left for Mexico, he submitted a report to the committee which sustained my charges and asked that this report be adopted by the committee. Several days ago, the chairman of this committee told me plainly that the committee would make the report given to them by Judge Moore, and in that report the admission is clearly made that my charges were true in reference to the violations of the anti-lobby law on the floor of the Senate and in committee rooms. However, it seems that in the last twenty-four hours a radical change has been brought over this committee, and now instead of admitting the charges to be true, they virtually in their report admit the charges to be untrue.

When this committee held its first session, Judge Moore, my counsel, filed a written statement asking for open sessions, and also asking that the press be admitted so that the people could be taken into our confidence, and in order that they might become conversant and familiar with the facts and evidence disclosed before that committee. This request was refused.

During the investigation, only star chamber proceedings were held. When the Senator from Hopkins county was on a trial for a supposed reflection upon the integrity and honor of the members of this Senate, he was tried before the Senate and the doors were thrown open and the lobbyists and their friends were invited in to look upon the proceedings. The gazing and gossiping multitude at times aggregating, perhaps, two thousand people, looked upon the Senator from Hopkins while on trial as if he was either a thief or a murderer, and, when attacks were made upon his honesty, the lobbyists were there to encourage by their smiles and their applause, and yet when the lobbyists were to be tried it became necessary that the investigation be done behind closed doors, and every man was almost sworn to secrecy that he never would reveal any reference to what was going on. It was the only investigation that has taken place in this Capitol for many years where not even an interview was permitted to be given to the press after the proceedings or sessions. I only wish this investigation had been as public and open as the one at the other end of the Capitol, and if it had been it would have caused many members of

this Legislature to go back home with their heads dropped in shame and humiliation.

Section 3 of our Anti-Lobby Law reads as follows: "The provisions of this act shall not be held to apply to the Governor or a member of the Legislature of this State, nor to prohibit any person either in person, or by his agent or attorneys, or any corporation representatives, agents or attorneys from exercising the rights of petition to the Legislature, or from collecting facts, preparing petitions, procuring evidence and submitting the same, together with arguments, to either branch of the Legislature, when in session, or to any committee thereof, in the interest of any measure in which he or it may be interested; but in such case the agency and the interest, in the measure, or the person so appearing shall be fully disclosed."

It at once follows that the intent and purpose of Section 3 of our Anti-Lobby Law is to have our committee meetings as private as possible, in a sense that the public is to be shut out, and only those admitted who desire to address the committee and make argument and even this is to be done under certain conditions as prescribed by law. Under my construction of this provision of the law, a man who goes into the committee room, without disclosing his purpose or intent, while they have under consideration a bill, is guilty of violation of this law, and if he addresses the committee without disclosing his agency or the interest he represents and fully disclosing his reason for so appearing, is equally guilty. The fact of his being present before the committee without his purpose named or interest disclosed to the committee as is required, constitutes the offense of lobbying, and on conviction he can be fined not less than two hundred dollars nor more than two thousand dollars, and in addition, may at the discretion of the jury be imprisoned for not less than six months nor more than two years. If I have not put a correct interpretation or construction on this law, I do not know the meaning of the English language, and I challenge any Senator here to state in his opinion what would be necessary to constitute a violation of this section of the law. You will observe that under this section certain persons are named who can appear before the committees, and no one else, and those named can only appear under certain conditions, to wit: but in such cases the agency and the interest

in the measure or a person so appearing shall be fully disclosed, not partially or privately to one or two of the members, but fully disclosed in every sense of the word to the entire committee.

By the facts and testimony disclosed in the investigation, and every member here is a witness to corroborate the facts shown that the doors of our committee rooms have been thrown wide open and people have gone in and out of the rooms at their pleasure, and these rooms have been no more private than if they were held in the open air on the Capitol grounds. Senator Savage before the committee admitted that he has attended five sessions of the Legislature and at no time has he ever seen committee meetings more publicly held and less private than those of the Thirty-first Legislature, and yet this law was enacted by the Thirtieth Legislature, and this provision was evidently intended to prohibit some evil which hitherto prevailed in our committee rooms. If I have not witnessed violations of this section of the law, I am unable to know a violation of any law when witnessed with my very eyes. The testimony of Senators Cofer, Terrell, Thomas, Mayfield, Sturgeon and myself, and every witness brought before the committee corroborated the statement that there had never been the least privacy or secrecy connected with any of our meetings. Every member of this Senate, together with the pages and stenographers, and every member of the other house of the Legislature is a living, walking advertisement to the people of Texas that I have spoken the truth.

Section 5 of the Anti-Lobby Law reads as follows:

"To prevent lobbying and to promote the orderly dispatch of business it is hereby made unlawful for any person employed in any manner to represent the interest in legislation of any person, association or corporation to go upon the floor of either house of the Legislature, reserved for members thereof, while in session, except upon invitation of such house; and any person violating the provisions of this section of this act shall be punished by a fine not to exceed one hundred dollars."

How many times has this provision of this law been violated? You gentlemen, know that prior to the time I asked for the enforcement of the Anti-Lobby Law, the rules of the Senate were not enforced, and people could come and go in that door at their pleasure. The President of the Senate only announced

that the rules were to be enforced after my calling attention to the violations of the Anti-Lobby Law, which is a practical admission of the truth of my charges. So far as violations of the law of this Senate is concerned, Mr. Dreeben, assistant doorkeeper, testifies that no effort was made to enforce the law relative to the Senate Chamber when the Senate was in session until the President of the Senate announced that the rule henceforth would be enforced, and requested the doorkeeper and assistant doorkeeper to enforce them. The investigating committee, or rather, the suppressing committee, has put itself in a laughable predicament by trying to prove that the rules of the Anti-Lobby Law relative to the floor of the Senate were not to be enforced, and then again they tried to show that the law was enforced, because the Senator from Hopkins could not give the names of all those appearing on the floor when the Senate was in session. In other words, they have tried to show that the rules were not intended to be enforced, and therefore the law could not have been violated, and on the other hand, they have tried to show that the Senator from Hopkins could not name those appearing on the floor of the Senate when in session, therefore the rules were enforced and there could have been no violations. They have tried to show that we had no law to be violated, and that we did have a law which was not violated. In other words, we had and we had not, there were and there were not. Heads up, I win; tails up, you lose. They have twisted and squirmed, admitted and denied, taken both ends of the dilemma and have put themselves in a laughable predicament.

That Senator who contends that it was publicly announced at the opening of the session that Section 5 of this law or the rules were not to be enforced says that which every respectable gentleman here knows to be false. And again, that Senator who claims that this Senate could suspend the operation of any general statute except by amending or repealing same with both houses concurring, assumes a position which would make any justice court lawyer in Texas a subject of ridicule and laughter. The distinguished Senator from Rusk takes the position that this provision merely refers to people, or rather the lobbyists, coming on the inside where the Senators are seated, and that it does not refer to the whole interior of the Senate Chamber. At the other end of the Capitol they have put exactly the same

construction upon this provision of the law that I have placed upon it, and absolutely no one else is allowed to enter the door except members of the Legislature, their families and the Governor. How any intelligent man could put any other construction upon this law I do not understand. Therefore I object to the adoption of that report, because it does not admit the violations of the law which the facts disclose, and which is known to every member of this Senate. If such a thing as a violation of this provision of the Anti-Lobby Law could be had or could occur. Again, I object to the adoption of this report, because it is absolutely silent in reference to the truth or falsity of the last charges we filed before the committee relative to a scandal which is enough to dumbfound and amaze every honest man in this Senate who stands for civic righteousness and purity in government. When the last charges were filed this committee thought it sufficient to make an investigation and now absolutely refuse to make a report showing that the investigation not only disclosed facts to sustain my written charges, but the inquiry made in the recent gambling scandal disclosed facts and evidence which show a disgraceful connection of members of the Legislature with the unscrupulous lobbyists and one lobbyist of State reputation who has done more than any other to cause our Legislature to prevent submission, admitted on the witness stand that he had been playing poker with three State Senators and three Representatives and that a certain banker of Houston who was here lobbying against the passage of the bank guarantee deposit bill, lost one thousand dollars in the game. It was also disclosed that the very night I was on trial in the State Senate before an audience of one thousand people, for a supposed reflection upon the integrity of my colleagues, a raid was made upon a gambling room and several Senators and Representatives were arrested, and a few days thereafter a distinguished lobbyist who had done so much to defeat the Anti-Fee bill, of which I was one of the authors, went to the justice of the peace himself and paid the fines of one State Senator and two Representatives.

The investigation also discloses that the justice of the peace refused to let me make an investigation of his record to ascertain the names of all those connected with the scandal after I had gone to his office and demanded it. This same

justice of the peace also committed perjury by denying that he did not enter any one's initials on his docket for gambling, and yet the editor of the Austin Tribune testifies that he examined his docket, and there were six initials entered thereon. Not only the justice of the peace but the constable as well did everything to keep the facts from the committee, and this committee also refused to have the records brought before the committee for examination. Not only this, but the committee objected almost to every question I asked touching upon that scandal which was calculated to show the disgraceful connections or relation of members of the Legislature with the professional lobbyist. My God! is not this enough to make the people of Texas stand aghast, and will there be found in the future a self-respecting man who will slander and abuse me for trying to protect the good name of the State I love so well? Oh, that the curtain could be raised and the light turned so that the people could know one-half of the story that has not been told, but, God being my witness, next year on the stump I will tell a few things which no newspaper will attempt to publish. This Senate today is confronted with the awful spectacle of having tried one of its colleagues for an imaginary reflection upon the Senate's integrity and honor, and yet it is doing everything to cover up and protect and keep from the public one of the most disgraceful scandals that was ever brought to light before a Texas Legislature. I will not give the names of the members of the Legislature, including Senators, that were connected with this scandal. I will not strike a man when he is down, even though he tried to destroy me for standing up for the enforcement of the law, and for the good name of Texas and our people.

I must have, and I demand, a fair and an honest report at the hands of this committee and this Senate. If not, this investigation and all the facts connected therewith will go before the people of Texas, and there will be such an uprising of public indignation as was never before known in the history of our State. That Senator who stands here on dress parade before a listening audience and talks loud and long about horse racing and gambling makes himself appear ridiculous when he turns around and protects and tries to cover up all the evidence connected with this scandal, merely because some of his friends and colleagues and connected

therewith. I challenge the members of this Senate, who have here given such an exhibition of their vociferous and warlike fury, who were so sensitive about their integrity and honor, to demand an investigation of the gambling scandal which will connect with it some of the most prominent men connected with this Senate. My friends, no one knows how much I have had to suffer and the humiliation I have endured by the stand taken here for the enforcement of the Anti-lobby Law, and yet I know the great heart of the people of Texas are with me in this fight. For one day and part of a night I was tried openly before this Senate for an imaginary offense, of which if I had been guilty did not warrant such a proceeding, and I was subjected to every discourtesy and insult at the hands of those who today feel keenly the shame and humiliation which their own conduct in Austin has brought upon them. At every question asked and speech delivered that was calculated to further humiliate me the crowd of professional lobbyists and their friends smiled and sometimes applauded, as if to say this was a lesson to other members of the Legislature to never in the future raise their voices against the lobbyist and the evils for which it stands. Nothing has taken place in Texas in twenty years that gave more satisfaction to the professional lobbyists than the treatment I received at the hands of my colleagues here. Even my counsel Monte J. Moore, the brave and manly man that he is, was frequently embarrassed and intimidated and even threatened because of his connection with this case, and because he was defending a man whom he knew to be right and was right for a just and honest cause.

After my spectacular experience in this Chamber, I went home and found my wife in bed. She put her arms around my neck and said that every day she expected to receive a message that I had been killed. And my oldest boy, who bears his father's name, one night sobbed himself to sleep. Not only have I been hurt by the treatment I received here, not only have I had the powerful influence of a lobby here against me, not only have my loved ones at home suffered humiliation, but the press has misrepresented me, and has circulated a report everywhere that there was nothing in my charges, and yet know nothing of the facts and evidence which the investigation discloses. I have yet a strong heart and a un-



finching courage, and the evidence shows that I have done only that which I believe to be to the interest of Texas. I believe with a great statesman of the South that he who has God Almighty and the right on his side stands with the majority, even though he stands alone. I will never cease this fight until the iniquitous lobby that defeats legislation and corrupts the representatives of the people are scourged forever from our State Capitol.

It is said that the immortal Jim Hogg, at a time when his enemies were pressing him hard, and it seemed they would gain the day in spite of all, repeated this verse and said, "This is my only hope for a final victory":

Fight on, fight on, and nerve thy soul  
to bear;  
They may gloat o'er the senseless words  
they wring from the pangs of my  
despair;  
They may veil their eyes, but they can  
not hide the sun's meridian glow.  
The heel of enemies may tread me down  
and a tyrant work me woe,  
But never a truth has been destroyed,  
they may curse and call it a crime,  
Pervert and betray or slander and slay  
its teacher for a time,  
But sunshine will freely light the sky,  
as round and round we run,  
And the truth will ever come uppermost,  
and justice shall be done.

#### BILLS SIGNED.

The Chair (Lieutenant Governor Davidson) gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 200, "An Act to amend Sections 1 and 2, Chapter 9, of the General Laws of the Thirtieth Legislature of the State of Texas, and being an act to amend Sections 1 and 2, Chapter 23, of the Acts of the Twenty-ninth Legislature of the State of Texas, and being an act to amend Sections 1 and 2, Chapter 71, of the Acts of the Twenty-eighth Legislature of the State of Texas, being an act to amend Section 1, Chapter 24 of the Acts of the Twenty-seventh Legislature of the State of Texas, being an act to amend Section 1, Chapter 28, of an act passed by the Twenty-sixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, 1889, entitled 'An Act providing a mode by which horses,

mules, jacks, pennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz.: Cooke, Bell, Ellis, Montague, Fayette, Jackson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, so as to place Lavaca, Colorado, Washington, Williamson, Smith and Delta counties under the provisions of said chapter, so as to place McLennan, San Patricio, Limestone, Coryell, Kaufman, Rains, Bastrop, Bee, Camp, Caldwell, Calhoun, Cass, Comanche, Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter, and to provide for holding an election for the purpose of enabling the freeholders of such counties or subdivisions thereof as may have adopted said law to repeal the same, so as to place Brown, Blanco, Coleman, Callahan, Franklin, Gillespie, Hood, Llano, Jones, Jack, Scurry, Somervell, Taylor and Wilbarger under the provisions of said chapter, and to exempt therefrom the counties of Bee, Calhoun, Jackson, Montgomery, Trinity, Victoria and Walker, so as to place Freestone county under the provisions of said chapter."

House bill No. 559, "An Act creating the Palmer Independent School District in Ellis county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws, and declaring an emergency."

House bill No. 490, "An Act to exempt Bell county from the provisions contained in Section 1 of Chapter 168 of the General Laws of the Regular Session of the Thirtieth Legislature, relative to the appointment and qualification of county auditors."

House bill No. 511, "An Act to validate Wichita Falls Independent School District in Wichita county, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official act of its trustees and to extend its boundaries and to declare the said Wichita Independent School District as herein defined, a body corporate; to provide for the election of the trustees for

said district and define their powers and duties, and to authorize them to appoint other officers for said district and define their powers and duties, and to provide for the levy and collection of taxes in said district for the support of the public free schools therein, and to vest the title to all public free school property in said district in said trustees for the benefit of the public free schools, and for the collection of all unpaid school taxes on property in said district and for the payment of said district of all outstanding debts and obligations chargeable against them, and to authorize the sale of school property unsuitable for school purposes and reinvestment of the proceeds, and to authorize the said trustees to have exclusive management, control and direction of the public free schools in said district, and declaring an emergency."

House bill No. 497, "An Act to amend Section 19, Chapter 38, of the Acts of the Twenty-seventh Legislature, relating to pay of Hood county road commissioners, and declaring an emergency."

House bill No. 478, "An Act to authorize the Governor of the State of Texas to purchase and receive a transfer from Mrs. John H. Reagan on behalf of the State, of the books and papers of the Hon. John H. Reagan, deceased, and making an appropriation of \$10,000 to pay therefor."

House bill No. 295, "An Act to amend the Penal Code of the State of Texas by adding thereto Article 812a prohibiting the owners of sheep affected with the scab or other infectious or contagious disease from driving or permitting the same to be driven over or along any public road or highway in this State or on or over the enclosed lands of another without the written consent of such owner, and prescribing therefor, and declaring an emergency."

House bill No. 256, "An Act to amend Article 2439 of Chapter 1 of Title 45 of the Revised Statutes of the State of Texas of 1895, in reference to fees of office to be charged as amended by Chapter 91 of the General Laws of the Regular Session of the Twenty-ninth Legislature, as amended by Chapter 22 of the General Laws of the First Called Session of the Thirtieth Legislature, relating to the fees charged by the Secretary of State for charters and permits, and declaring an emergency."

House bill No. 573, "An Act to amend Section 4 of an act entitled 'An Act to incorporate the city of Waco and to define its boundaries and powers, passed

by the Twenty-first Legislature and approved February 19, 1889, said Section 4 having been amended by Section 1 of an act passed by the Twenty-fifth Legislature, Chapter 3, page 7, Special Laws of Texas, 1897, and by Section 7, page 219, Chapter 25, Special Laws 1905,' and said Section 4 as amended is here now amended by changing the number of officers and method of their election and fixing salaries of some of them, and generally prescribing their duties and powers, and this act further amending said act of 1889 by amending and re-enacting Section 3 of an act passed by the Twenty-ninth Legislature and approved March 30, 1905, and further amended by an act by the Thirty-first Legislature, and approved — day of —, 1909, all this act relating to the municipal government of Waco, which said Section 3 begins on page 213 and ends on page 215 of the Special Laws of Texas of 1905, and is amendatory of said act of 1889, with its amendments, and declaring an emergency."

House bill No. 503, "An Act to amend Sections 2 and 3 of Chapter 53, Special Laws enacted at the Regular Session of the Twenty-ninth Legislature, 1903, being a special road law for Houston county; declaring the county commissioners to be ex-officio road supervisors; providing for the working of county convicts on the public roads, and declaring an emergency."

House bill No. 564, "An Act creating the Deport Independent School District in Lamar county, Texas."

House bill No. 509, "An Act to create a more efficient road system for Rusk county, and defining the duties of county judges and commissioners; providing for the appointment of road superintendents and defining their duties; providing for the working of county convicts and delinquent poll taxpayers on the public roads of said county; providing for rewards and penalties for escaped convicts; providing for the relieving of delinquent poll taxpayers from road duties by the payment of \$3.00; providing for the appointment of road overseers, and requiring them to work the road five full days and the apportioning of road hands; providing for the duties of road overseers and road hands, and fixing penalties for failure of their duties, and the relieving of road hands from service upon the payment of \$4.00, giving general powers to the commissioners courts to lay out new roads, to discontinue public roads, and to change public roads and the acquiring of roadbeds for new

roads by purchase or by condemnation proceedings; the making of this law cumulative of the general road law of the State, and in case of conflict with the general law of the State this act to govern as to Rusk county, and to repeal Chapter 42, Acts of the Thirtieth Legislature, 1907, and declaring an emergency."

House bill No. 532, "An Act to render more effective and efficient the present road law in the State of Texas in its application and operation in the county of Bastrop, and to authorize and empower the said county to issue bonds for the construction of bridges and construction and maintenance of public roads and highways within said county; providing for the working of county convicts upon the public roads of said county; delegating certain powers to members of the commissioners court, regulating the compensation of certain officers, and repealing House bill No. 521 of the Acts of the Twenty-ninth Legislature."

House bill No. 598, "An Act to amend the charter of the city of Temple, in Bell county, Texas, passed by the Thirtieth Legislature, and which became a law March 27, 1907, by amending the following sections thereof: Sections 7, 17 and 19 of Article 2; Section 18 of Article 3; Sections 2 and 3 of Article 5; Section 2 of Article 6; Section 6 of Article 7; Section 4 of Article 10, and Section 4 of Article 11, by adding to Article 11 of said charter Sections 28 and 29, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 585, "An Act creating the Sunset Independent School District in Montague county, Texas; defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws, and declaring an emergency."

House bill No. 360, "An Act to amend an act of the Thirtieth Legislature, entitled 'An Act to reorganize the Fifth Judicial District and the Seventh Judicial District of Texas, and prescribing the time of holding court in the counties composing said districts, and validating process, and providing an emergency,' approved April 15, 1907, so as to change terms and time of holding courts in Camp, Upshur and Smith counties, and validating processes, etc., and repealing

all laws and parts of laws in conflict with this act."

House bill No. 230, "An Act to add to the Agricultural and Mechanical College of Texas a department of instruction in the theory and practical art of grading, classing, stapling and spinnable value of cotton and kindred branches of the cotton industry, and to make an appropriation therefor, and declaring an emergency."

House bill No. 491, "An Act to amend Chapter 8 of the Special Laws of the State of Texas, passed at the Regular Session of the Twenty-eighth Legislature, and amending Section 7, Chapter 8 of the Laws of the Regular Session of the Twenty-eighth Legislature, being the Eastland county road law."

House bill No. 592, "An Act to exempt Karnes county from the provisions of Chapter 39 of the Acts of the Regular Session of the Twenty-third Legislature, 1893, and from the provisions of Chapter 12, Title 17 of the Penal Code in so far as the same relates to the inspection of the ears and hides of animals slaughtered by butchers, and declaring an emergency."

House bill No. 452, "An Act to amend Article 3385, Title 69 of the Revised Statutes of the State of Texas of 1895 relating to local option so as to exempt from the operation of the articles of said title wholesale druggists selling alcohol to retail or dispensing druggists, and declaring an emergency."

House bill No. 473, "An Act to amend an act passed on the 31st day of March, 1903, 'An Act to amend Subdivision 9, of Article 22, Title 4, of the Revised Civil Statutes of the State of Texas, 1895, changing the time of holding court and the length of terms of court in certain counties in the Ninth Judicial District of the State of Texas.'"

House bill No. 560, "An Act to incorporate the city of Gainesville, in Cooke county, Texas, and to fix the boundaries thereof, and grant it a special charter, and to define its powers, and to provide for its government and the management of its affairs, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 530, "An Act creating the Shamrock Independent School District in Wheeler county, Texas; defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district, and investing said district with the rights, powers, privileges and duties of a town or village incorpor-

ated for free school purposes only, under the general laws, and declaring an emergency."

House bill No. 572, "An Act to create a more efficient road system for Hamilton county, and making county commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such road commissioners, and providing for the condemnation of material for the construction and maintenance of public roads, and to provide for the compensation for the material used; and providing for the working of county convicts on the public roads, and the purchase of supplies for such convicts and rewards for the capture of escaped county convicts, and for commutation of sentence for faithful service and good behavior; and defining the powers and duties of road overseers; and to provide for the summoning of hands and teams for road work, and the allowance of time for services of hands and teams on public roads; and fixing a penalty for violation of same and relieving them from the payment of such work by the payment of \$4.00; and, provided further, making this act cumulative of the general laws now in force; and to repeal all laws in conflict with this act, and declaring an emergency."

House bill No. 142, "An Act to create the Texas Library and Historical Commission, setting forth the purposes of the said Library and Historical Commission, defining its powers and duties, repealing Article 2805 of the Revised Civil Statutes of the State of Texas, amending Article 2806 and in general repealing all laws and parts of laws in conflict with this act."

House bill No. 521, "An Act incorporating the San Antonio Independent School District; authorizing the election of trustees, which trustees shall be known as the San Antonio School Board; giving said district, through its trustees, the power to make contracts, to be a party to actions in courts without giving bond, either originally or on appeal; exempting said district from the levy of executions, attachments or garnishments; exempting it from liability from damages for personal injuries; authorizing it to receive gifts, grants, conveyances, donations or devises for the use of the public free schools of said independent school district; giving it power to levy taxes, to issue and dispose of bonds and provide for the payment of same; and validating all bonds heretofore issued by the San Antonio

School Board by virtue of Chapter 29 of the Special Laws of the Thirtieth Legislature; validating, ratifying and confirming all official acts of the San Antonio School Board heretofore done and approved under and by virtue of said act aforesaid; giving said independent school district, through its trustees, the power to manage and control the public free schools within said district, and to do all things authorized by this act; repealing Chapter 29 of the Special Laws of the Thirtieth Legislature, incorporating the independent school district of the city of San Antonio, and also any special or general laws in conflict with the provisions of this act, and declaring an emergency."

House bill No. 614, "An Act to amend Section 3, Chapter 61 of the Special Laws of the State of Texas of the Thirtieth Legislature, which is an act to create a more efficient road system for Burnet county, and to prescribe the compensation for hands employed by the commissioners court to work on the public roads of Burnet county, and declaring an emergency."

House bill No. 562, "An Act creating the Henrietta Independent School District, in Clay county, Texas."

House bill No. 563, "An Act creating Carlton Independent School District, in Hamilton county, Texas, and defining its boundaries; providing for the election of a board of trustees to manage and control the public free schools within said district; defining the title to school property in said district, naming fiscal year as to the taxes; investing the said district with all the powers, rights and duties of independent school districts formed for free school purposes only, and declaring an emergency."

House bill No. 269, "An Act to repeal Article 5001, Title 102, Revised Civil Statutes of the State of Texas, of 1895, as amended by Chapter 80 of the Acts of the Twenty-eighth Legislature, and as amended by Chapter 3 of the Twenty-ninth Legislature, relating to the prevention of hogs, sheep and goats from running at large, and declaring an emergency."

House bill No. 416, "An Act to amend Section 14, Chapter 49 of the General Laws of the Twenty-seventh Legislature, said chapter being entitled 'An Act to create a more efficient road system for Fayette, Uvalde and Frio counties, Texas.'"

House bill No. 474, "An act to create a more efficient road system for Runnels county, Texas."

House bill No. 459, "An Act to provide for a deputy county superintendent of schools of Harris and Travis counties, and prescribing duties and qualifications of same, and declaring an emergency."

House Joint Resolution No. 5, To amend Article 7 of the Constitution of the State of Texas by adding thereto Section 3a, validating school districts and the bond of indebtedness of such districts, and authorizing the levy and collection of taxes to pay such indebtedness.

House Joint Resolution No. 6, To amend Section three (3) of Article seven (7) of the Constitution of the State of Texas, in regard to the formation and taxing power of school districts.

House bill No. 173, "An Act to amend Section 1, Chapter 163, page 236, General Laws, passed at the Regular Session of the Twenty-fifth Legislature, 1897, being an act entitled 'An Act to require cities to provide for a board of plumbers to be known as the Examining Board of Plumbers; to regulate the duties of said board, and to provide penalties for the violation hereof; and further to repeal Section 4 of said act.'"

Senate bill No. 178, "An Act to promote the safety of employes and travelers upon railroads in this State by limiting the hours of service of conductors, engineers, firemen and brakemen, by making it unlawful for any railroad company or the receiver of any railroad company or any officer or agent of such railroad company or receiver to require or permit any conductor, engineer, fireman or brakeman to be or remain on duty for a longer period than sixteen consecutive hours, by providing for the relief of any conductor, engineer, fireman or brakeman, after having been continuously on duty for sixteen hours, and preventing his being required or permitted again to go on duty until he has had at least ten consecutive hours off duty, and preventing his being required or permitted to continue or again go on duty without having at least eight consecutive hours off duty after he has been on duty sixteen hours in the aggregate in any twenty-four hours period, by imposing a penalty for each violation by any railroad company, or receiver of any railroad, or any of the officers or agents of such company, or receivers, for each and every violation of this act, and by prescribing the venue of suits to recover penalties for violations of this act, and the officers by whom

their suits shall be brought, and declaring an emergency."

Senate bill No. 137, "An Act to amend Title 12, Chapter 2, Revised Civil Statutes of the State of Texas, by adding to Article 278, Article 278a, prescribing mode of appointing assistant district attorneys in districts of 60,000 population and over, where there is no criminal district court established, and qualification therefor, and duties thereof, and affixing salary, and declaring an emergency."

Senate bill No. 285, "An Act to create a more efficient road system for Val Verde county, Texas."

Senate bill No. 301, "An Act changing and fixing the times of holding the courts in the Fortieth Judicial District of Texas, and providing for a longer term of court to be held in Ellis county, and for all writs and process returnable to the other courts at the time now fixed by law shall be returned at the terms and times now fixed by law shall be returnable at the terms and times as fixed by this act, and shall be valid; and the present district judge now in office and residing in the Fortieth Judicial District shall hold the several terms of court in said district, for and during the term for which he was elected, and this act shall not affect any term of the district court that may be in session in any of the various counties named herein, at the time this act goes into effect, and declaring an emergency."

Senate bill No. 273, "An Act creating an independent school district for free school purposes only, in the county of Johnson, to be known as the Grandview Independent School District, and to have all the rights, powers and duties of independent school districts, formed by the incorporation of towns and villages for free school purposes only, and declaring an emergency."

Senate bill No. 322, "An Act creating and incorporating the Bronte Independent School District, in Coke county, Texas, and declaring an emergency."

Senate bill No. 252, "An Act to grant unto the United States of America a section of land in El Paso county, Texas, and to validate the patent issued thereon, and declaring an emergency."

Senate bill No. 263, "An Act creating an independent school district for free school purposes only, in the county of Johnson, and to be known as the Burleson Independent School district, and to have all the rights, powers and duties of an independent school district formed for free school purposes only, and declaring an emergency."

Senate bill No. 188, "An Act to incorporate McLean Independent School District, to provide for election of officers, the issuance of bonds, etc., and declaring an emergency."

Senate bill No. 215, "An Act to amend Sections 19 and 24 of an act passed by the Twenty-ninth Legislature, Chapter 47, General Laws, entitled 'An Act creating an independent school district to be known as the Ballinger Independent School District, including within its limits the municipal corporation of the town of Ballinger, and to provide for the creation of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and further prescribing the duties and authorities of said board, and declaring an emergency.'"

Senate bill No. 14, "An Act to abolish the Higgins Independent School District and to incorporate an independent school district to be known as the Higgins Independent School District."

Senate bill No. 311, "An Act to amend Chapter 75 of the General Laws of the State of Texas, passed by the Twenty-seventh Legislature, creating a more efficient road system for Grayson county; and Chapter 65 of the Special Laws of said State, amendatory thereof, passed by the Thirtieth Legislature at its Regular Session; providing for the creation of road districts in any political subdivision of any defined district hereafter to be described in said county; prescribing the procedure necessary to the creation of such district; authorizing such district to issue bonds for the purpose of constructing and maintaining under the direction of the commissioners court of said county of macadamized, graveled or paved roads or turnpikes, or in aid thereof; providing for the holding of election and the manner thereof, to determine whether or not said bonds shall be issued; declaring the qualification of voters of such election; providing for the interest on such bonds and creating a sinking fund for the retirement of same, and providing for the assessment and collection of taxes for such purpose; providing for the investment of said sinking fund and for its custody and deposit when not invested; providing that the courts shall take notice of

this act in the same manner as general laws of the State, making it cumulative of the general laws of the State except when in conflict with the act, and declaring an emergency."

Senate bill No. 296, "An Act to amend Section 6 of Chapter 102 of the Acts of the Regular Session of the Legislature, entitled 'An Act to promote agriculture and stock raising, and to prohibit the hunting with firearms or dogs upon the enclosed or posted lands of another, in all counties within this State, not specially named as exempted from the provisions of this act, as amended by the Twenty-sixth Legislature, to provide penalties, and with an emergency clause.'"

Senate bill No. 196, "An Act creating an independent school district in the county of Gonzales, State of Texas, to be known as the Nixon Independent School District, and to have all the powers, rights and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only."

Senate bill No. 198, "An Act to authorize the Wichita Falls Railway to own and operate as its own the Wichita Falls & Northwestern Railway Company and the Wichita Falls & Southern Railway Company."

Senate bill No. 226, "An Act to create a more efficient road system for McLennan county, Texas."

Senate bill No. 200, "An Act creating an independent school district, to be known as the Goliad Independent School District, including within its limits the unincorporated town of Goliad, in Goliad county, and to provide for the creation of a board of trustees thereof, and authorize the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees powers and authority to issue bonds for the purpose of purchasing school sites, and erecting, repairing, furnishing and equipping school buildings within the same, and to pay current expenses in the maintenance and support of said schools, and to further prescribe the duties and authorities of said board of trustees."

Senate bill No. 260, "An Act to amend Sections 2, 12, 13 and 15 of an act creating the Lubbock Independent School District, and declaring an emergency."

Senate bill No. 299, "An Act creating the Venus Independent School District, in Johnson county, Texas."

Senate bill No. 308, "An Act providing for the compensation of county commissioners of Cooke county, when act-

ing as road commissioners and performing the duties imposed upon them by law or by the commissioners court, and declaring an emergency."

### ADJOURNMENT.

Pending discussion on the expulsion resolution,

Senator Murray moved that the Senate adjourn until tomorrow morning at 8 o'clock.

The motion was adopted.

### APPENDIX.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, March 11, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 235, "An Act to amend Chapter 80 of the Special Laws of the Thirtieth Legislature of the State of Texas, approved April 15, 1907, and to create a more efficient road law for Lee county, Texas,"

And find it correctly enrolled, and have this day, at 5 o'clock p. m., presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

Committee Room,  
Austin, Texas, March 11, 1909.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 50, "An Act to provide for the location of and establishment and maintenance of a State sanatorium for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor,"

And find it correctly enrolled, and have this day, at 5 o'clock p. m., presented same to the Governor for his approval.

TERRELL of McLennan, Chairman.

#### FORTY-SIXTH DAY.

Senate Chamber,  
Austin, Texas,

Saturday, March 13, 1909.

Senate met pursuant to adjournment, Lieutenant Governor Davidson presiding.

Roll call, no quorum present, the following answering to their names:

Adams.	Peeler.
Alexander.	Senter.
Brachfield.	Sturgeon.
Harper.	Willacy.
Mayfield.	

Absent.

Bryan.	Perkins.
Cofer.	Real.
Hayter.	Stokes.
Holsey.	Terrell of Bowie.
Hudspeth.	Terrell of McLennan.
Hume.	Thomas.
Kellie.	Veale.
Masterson.	Ward.
Meachum.	Watson.
Murray.	Weinert.
Paulus.	

Absent—Excused.

Greer.

There being no quorum present, Senator Brachfield moved a call of the Senate for the purpose of securing and maintaining a quorum.

The Sergeant-at-Arms was instructed to bring in the absentees.

Pending delay, the roll was again called, a quorum being present, the following Senators answering to their names:

Adams.	Peeler.
Alexander.	Perkins.
Brachfield.	Real.
Cofer.	Senter.
Harper.	Terrell of Bowie.
Hayter.	Terrell of McLennan.
Kellie.	Thomas.
Masterson.	Ward.
Mayfield.	Watson.
Meachum.	Weinert.
Murray.	Willacy.
Paulus.	

Absent.

Bryan.	Stokes.
Holsey.	Sturgeon.
Hudspeth.	Veale.
Hume.	

Absent—Excused.

Greer.

On motion of Senator Terrell of Bowie, the calling of the morning call was dispensed with.